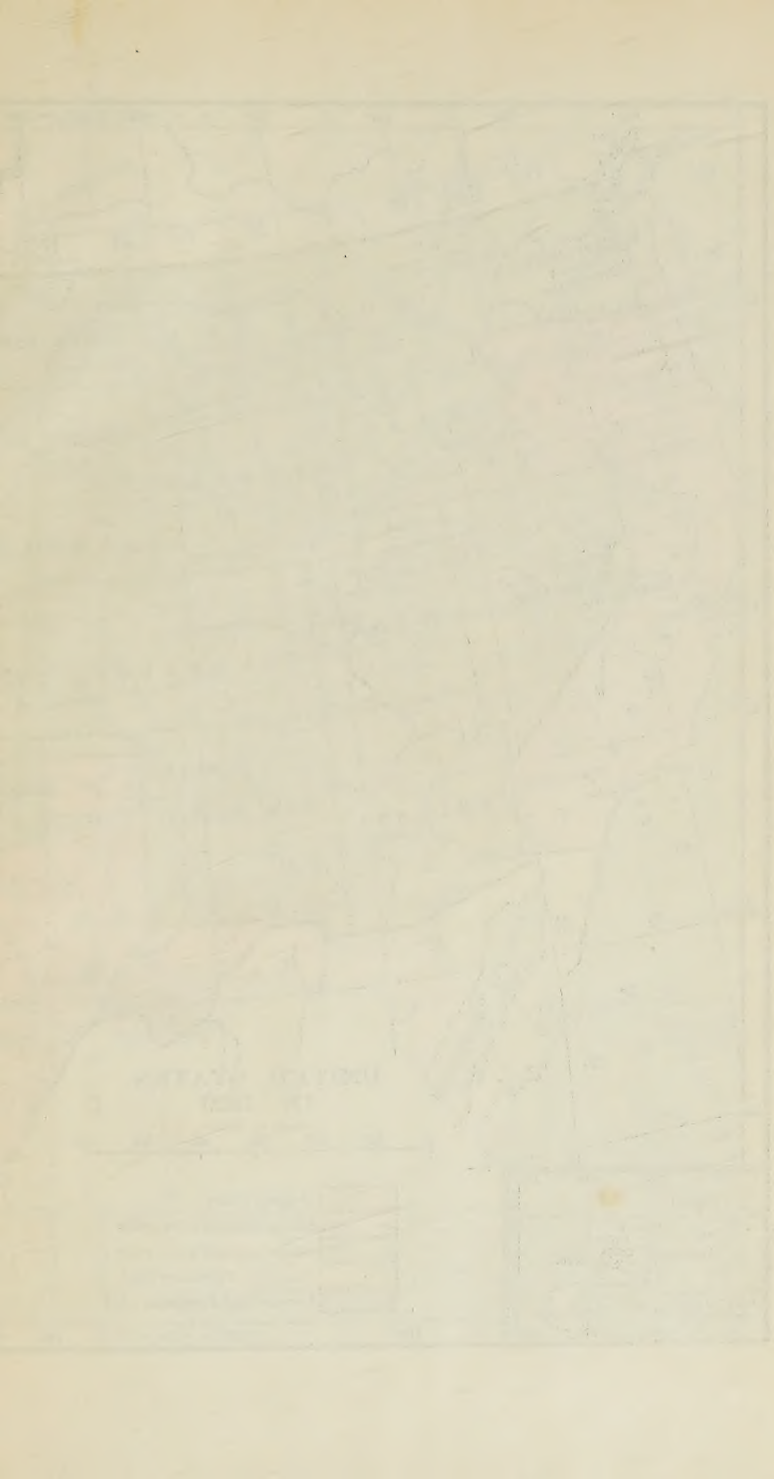
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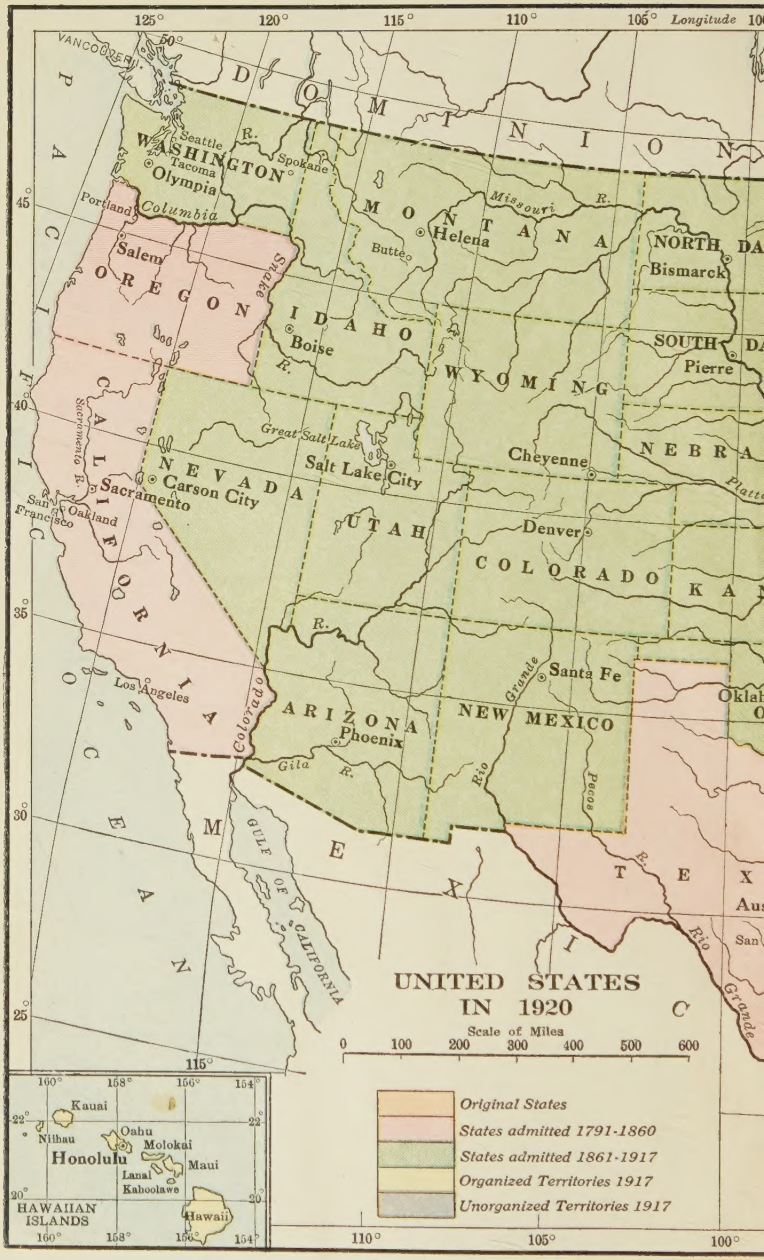


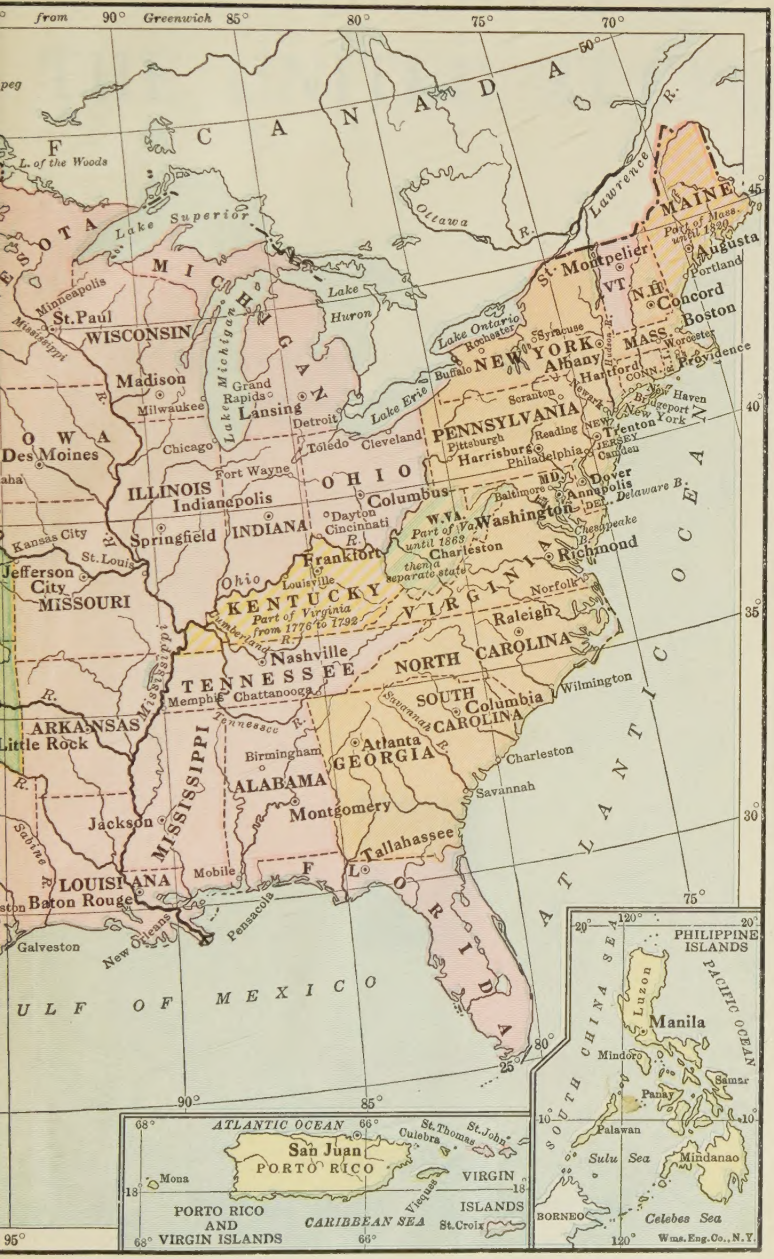


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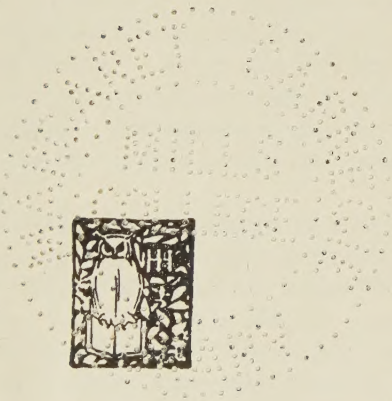

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THE GROWTH OF THE UNITED STATES

BY

RALPH VOLNEY HARLOW

ASSISTANT PROFESSOR OF HISTORY
IN YALE UNIVERSITY



WITHDRAWN

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PREFACE

"Read it! Why should I read it? It ain't no novel!" Caught temporarily off his guard, a student delivered himself of the expostulation just quoted. To be sure, he needed three hours' credit in history, but even that *summum bonum* was hardly a sufficient inducement to drive him into undue familiarity with this text-book. In the class room the cogitations of an undergraduate are sometimes unproductive of results; in a more natural environment they often reveal the power of shrewd, though unregenerate, analysis.

And yet, American history is interesting. Even worldly-wise sophomores have been found who would honestly confess as much. In selecting and preparing material for this volume, the author has tried to preserve some of that interest, and to place it at the disposal of his readers, so that an instructor may not need to blush when he asks his students to buy the text. In making this attempt he has endeavored likewise to be scrupulously accurate in matters of fact, and fair in his interpretations. The interesting and the true are not necessarily divorced in life; they cannot be in a book without painful lacerations of the spirit.

The volume was written for undergraduates, as a means of introducing them to a subject which, when properly presented, will stir their enthusiasm. It is not designed as an exhaustive treatment, nor as an encyclopædia. Inevitably gaps are left, to be filled by collateral reading and by the instructor. The author hopes that the work will appeal to those teachers who consider the arousing of interest just as important as the exposition of events.

In a work of this sort, inevitably a compilation, as all texts in history must be, mistakes cannot be entirely avoided. For those that may appear, the author expresses his regret.

The material for the book has been gathered from a fairly wide range of reading in the literature of American history. To name all the works drawn upon, with an exact statement of the contribution levied upon each, would be an impossible task. Occasionally, where an important conclusion seems to be peculiarly a case of private

property, due credit is given in a footnote. To all the other authorities used, even though they are unnamed, the writer is deeply grateful.

In the Bibliographical Notes at the end of the text will be found selected lists of readings, to accompany the chapters. With the help of these references the amount of time spent upon any given period may be varied so as to suit the needs and interests of different instructors.

It is a pleasure to render the other acknowledgments due: to the students in American history, Boston University, College of Liberal Arts, who have listened attentively while this material was being tried out upon them; to my colleague, Professor Warren O. Ault, for reading and helpfully criticising parts of the manuscript; to Professor Brewer G. Whitmore, of Tufts College, for similar aid; to the publishers, Messrs. Henry Holt and Company, for innumerable helpful suggestions, and for very sound advice; and to my wife, for both editorial and constructive criticism, and for preparing the manuscript for the press.

Boston University R. V. H.
College of Liberal Arts
January, 1925

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THE GROWTH OF THE UNITED STATES

CHAPTER I

THE EUROPEAN BACKGROUND

It seems like a long way from the Europe of the thirteenth century, when the people were first becoming aware of the end of feudal isolation, to the United States of the twentieth century, with the appalling immensity of its complex industrial life, yet within these limits lies the continuous span of American history. The beginnings of this nation are to be found not in the life of the American Indians, nor in the colony at Jamestown in 1607, nor in the first voyage of Christopher Columbus, but rather in what historians call, for want of a better term, the Renaissance; more accurately, in the evolution of Europe. By the end of the fifteenth century this development had reached a point where the outside world was beginning to attract attention.

In American history the red men appear more in the form of a problem to be solved than as a great contributing factor. They did of course furnish a picturesque background for the white settlements, and they introduced the newcomers to certain almost essential crops, like maize. Furthermore, they constituted an ever-present, though not insurmountable, obstacle to westward expansion, and by so doing unwittingly assisted in the process of developing a resourceful, hardy type of frontiersman. Beyond that they have contributed little. Perhaps on the frontier itself, the meeting place of two civilizations, they affected manners and customs, but the impression was only temporary, if indeed it was apparent at all. As for American government, law, religion, and culture, they have remained untouched by Indian influence.

American history consists then in the introduction of European civilization into an entirely new environment, and in the gradual growth, under pressure of the surroundings, of a different set of institutions, social and political, in fact, of a different culture. In the various processes of this growth are to be found the keys to American history. To any one even casually concerned in the interplay of human emotions and physical conditions, the story is full of intense interest.

FEUDAL EUROPE

The history of Western Europe during the three hundred years before 1492 deals for the most part with a recovery from the effects of feudal isolation and disorder. When Charlemagne's empire went literally to pieces in the ninth century, Europe was left to struggle with all the forces of disintegration. Even the authority of government itself was divided and subdivided, so that every feudal lord was as good as a king, while every king had infinitely less authority than the president of a big corporation to-day.

Nor were the western Europeans left alone in their confusion. Invaders appeared from all points of the compass, thereby increasing the burden and the variety of problems to be solved. From the northeast came the pagan Slavs, even less civilized than the Germans whom they tried to conquer. From the north, by way of the English Channel and the rivers emptying into the Atlantic, and even by way of the Mediterranean, came the Northmen, likewise pagans, though possessing within themselves the most remarkable powers of adaptability and adjustment. And as though this constant hammering on the northeast and the west were not enough, Saracens from the south were taking a hand in the general contest for plunder. No wonder that Europe was turned in upon herself for generations!

The product of this mixture of Carolingian disintegration and barbarian invasion was that curious social and political structure known as feudalism. Practically all traces of imperial power had disappeared, and not even the beginnings of the later national states could be seen. Authority was vested in, and divided among the feudal lords, to use virtually as they saw fit. And they used it as half-civilized barbarians are wont to use it, largely in fighting their equals, and in exploiting their inferiors. Feudal warfare and serfdom were the outstanding signs of the European culture of the day.

Under these conditions agriculture was reduced to its lowest terms, while commerce almost disappeared. For the peasant there was no incentive to raise a surplus for sale, because there was no market for his produce, and with no money to spend, he was not interested in luxuries, either domestic or imported. As for the feudal lord, his standard of living was low, and his tastes, if possible, were lower, so his attitude toward the merchant was distinctly not that of

encouragement. These were the days of the robber barons, long before the time of the "brewery earls" and the soap-making lords. Steal from the traveling merchants they would, without the slightest compunction, and when robbery was so easy, why take the trouble to purchase? Naturally under these conditions, commerce failed to thrive.

DECLINE OF FEUDALISM

From the eleventh to the fifteenth century, Western Europe was occupied, among other things, in growing out of the conditions just described. In course of time certain feudal kings, such as Henry II of England and Philip Augustus of France, found themselves in a distinctly better position than the majority of their opponents; as their power increased, feudal power began to weaken. By the fifteenth century signs of the modern national states were clearly in evidence not only in the two sections named, but in Portugal and Spain as well. And even in Italy, where feudal confusion and rivalry had gone beyond all bounds, the rise of a number of city states foretold the doom of the feudal baron. In general, by various means, Europe gradually learned not only how to restore order, but how to preserve at least a semblance of it.

What was cause, and what was effect during these years of growth is not at all clear, but signs of change were visible in the field of government, and in almost every other direction. In France, Italy, Germany, and in England universities were actually at work training officials for the Church and officials for the State, and incidentally scholars who were interested in the propagation of what came to be called the new learning.

New dialects, the products of a curious development of ancient vernacular Latin, were gradually achieving the dignity of real languages, thus providing the means for the rise of a new body of literature.

Even the Church, the oldest, the most durable, and apparently the most powerful of all European institutions, could not escape the effects of the ferment at work. From the thirteenth century on, the enforcement of uniformity became steadily more difficult, and the problem of heresy always more acute. In addition to these difficulties, the rise of the national states, with their theories of absolute monarchy, constituted a new and ever more powerful threat to the absolutism of the Holy See.

MEDIEVAL COMMERCE

All these signs of a new era were important enough, in themselves, but even these were overshadowed, if that were possible, by the extraordinary commercial development during this same period. Once the prospect of a reasonable guarantee of the safety of their property and their lives was perceptible, the merchants were ready to do their part in promoting better times. Artisans in the towns found steadily growing markets for their commodities, while the peasants were encouraged to raise food for the towns. As for the feudal lords, they were introduced to luxuries in the way of food and apparel of which their immediate ancestors had never dreamed.

Whether the crusades were the cause of the commercial expansion or simply a prominent symptom of the underlying forces at work is not entirely clear, and in fact it does not greatly matter. Causes or results, these expeditions to the Holy Land furnish the setting and the background for a survey of medieval commerce. During the first three crusades the religious element perhaps was predominant, but the fourth, which began in 1202, although it was started by Pope Innocent III, was really conducted by the Venetian merchants. The crusaders in that expedition aimed at Egypt, as a base of operations against the Holy Land. The first conquests, however, were Zara, on the Dalmatian coast, an old trade rival of Venice, and Constantinople, one of the keys to commerce with the Orient. Incidentally, the Venetians drove a good bargain with the crusaders in the matter of supplies and transportation. The transition from the middle ages, with its attention focused on the next world, to the modern era, with its hunger for financial gain, has never been better epitomized than in this fourth crusade.

All the crusades opened up business opportunities for the Mediterranean merchants. Not only could they furnish transportation for troops and supplies for the armies, but they themselves were put in touch with eastern commerce. These connections, once established, were not easily lost.

Then too, the crusades civilized the crusaders themselves. In the East, uncouth feudal lords, with no knowledge beyond that required to wield a battle axe, came in contact with culture of a high order. Men who had never realized even the elemental necessity of a regular bath were suddenly introduced to some of the decencies of human

existence. Moreover, they acquired new tastes in food, and new fashions in dress, along with an appreciation of the finer weapons produced outside of Europe. All these acquisitions they carried back home, and they called upon the merchants to keep their needs and wants supplied.

For the first time since the last days of the Roman Empire, Western Europe began to buy, in large quantities, the finer products of the East: silk and linen, tapestries and rugs, jewels and precious stones. Then too, as they learned that weaknesses in the quality and shortcomings in the preparation of food could be daintily and successfully concealed by the use of spices, they bought, and consumed, all the cloves, nutmeg, cinnamon, mace, and above all else, pepper, which the merchants could provide.

The sources of supply of these products range from China and India to the Spice Islands, in the Far East, and from the Levant to Egypt in the Near East. Few of the European merchants actually visited these regions. Their contacts were with the caravan drivers, who plied their trade over parts of the age-old commercial routes to the East. There were three of these. One, starting from Cairo, led to the Indian Ocean. The second, or middle route, linked Damascus and Antioch with Bagdad, and all three cities with India, by way of the Tigris River and the Persian Gulf. The northern route led from Constantinople over the Black and Caspian Sea region, and thence almost directly eastward to China. Under the system then in force, Egypt and Asia Minor were the clearing houses for European commodities going east, and for Eastern commodities destined for Europe.

The European agents for this trade were certain Mediterranean cities, among which Genoa and Venice stand out preëminently. Venice in particular was the focus for those trade lines coming down through the Alpine passes from Central Europe, and likewise the connecting link with the East.

Naturally commerce of this sort stimulated the curiosity of merchants and prospective travelers, and the steady expansion of trade was accompanied by an increasing knowledge of geography. Beazley, in his fascinating *Dawn of Modern Geography*, has shown how eager were the thirteenth century Europeans to find out more about the extent and the possibilities of the world in which they were living.

The discovery of America by the Europeans was preceded by their

discovery of the East, another accomplishment of the marvelous thirteenth century. Before 1250, Europe was almost as ignorant of China and India as she was of North and South America. About that time, however, circumstances brought the East and the West together, in a connection that lasted for two centuries or more.

About the year 1220 the Mongols, Tartar tribes from Northern Asia, began to extend their amazing course of conquests beyond the range of China and Asia. Even before the death of Jenghiz Khan (1227) they had reached the borders of Europe, and by the time their empire was complete, it ranged from Central Europe on the west to China on the east, and to India on the south. The greater part of Russia remained in their hands until 1480.

Although at first these Tartars showed the bloodthirsty characteristics of the conquerors of that day, their rule became steadily more mild and beneficent. Moreover, although they were non-Christian, they were likewise non-Mohammedan in their religion, and were well-disposed toward Europe. With everything under their control eastward from Russia and the Balkans, they offered the best of facilities which the times afforded for trade between Europe and the East. While not extensive, perhaps, travel between the two continents was not at all uncommon, and even before 1270 there are numerous reports of European visitors to China: priests, merchants, and mere curiosity-seekers and adventurers. The most famous of these were the Polo brothers, Venetian merchants, with the young Marco. They spent about twenty years in the service of the Grand Khan in China and then returned to Venice, about 1295, bringing with them tales of wealth and splendor that made even the rich, blasé Venetians gasp with wonder and envy. And to give point to their stories—for these were by no means the product of vivid imagination alone—the returned travelers ripped open the seams of their garments, and produced tangible evidence of the fortunes they had made and kept. Naturally the sight of that array of jewels turned ambitions toward the East. Even Venice, the queen of European towns, was, so Marco Polo said, a mere collection of hovels in comparison with the splendid cities of China, and as for gold, it could be had for the taking by those willing to go after it.

These reports of wealth, waiting to be carried to Europe, were not the only significant parts of the message of the Polos. They brought with them information concerning the prices of those much-

to-be-desired, Far Eastern commodities, and the contrast between the Asiatic and the European price levels was an additional spur to every ambitious merchant. Clearly the caravan drivers of Arabia and the Near East were the real profiteers of the day, charging inordinately for their services in transporting goods.

For two hundred years after the return of the Polos, Venice continued to thrive. Europe continued to pay the exorbitant carriage charges demanded by the Eastern traders, and in addition a good profit to the enterprising Venetian middlemen. The Italians in general, and especially the Genoese and Venetians, continued to monopolize this trade.

PORTUGUESE EXPLORATION

But two hundred years and more is a long time, as affairs in this world go, for a monopoly to last, and before the decline of Venice really started, the first signs of energetic competition were beginning to appear. From time immemorial the Mediterranean had been the great highway of maritime trade, so much so that even the Atlantic ports of Europe were connected with the Mediterranean and the East, rather than with the unknown Southwest and West. But the gradual growth of Europe was producing some new states in the Iberian peninsula, and in them were to be found both rulers and sailors eager to try their fortunes on the little-used Atlantic. By the beginning of the fifteenth century, Portugal was already recognized as a rising maritime nation, and before 1500 Spain had taken the momentous step which made Portuguese achievements pale into insignificance. The primary aim of these Atlantic states was to secure some of the Eastern trade for themselves, an aim which Portugal at least achieved. And in the desire not to be outdone by her smaller neighbor, Spain accidentally made possible the discovery of America. Thus did rivalry over Eastern trade pave the way to a new world.

In all that profitable intercourse with the East, which had made Venice the foremost commercial city of Southern Europe, Portugal had gained but little. And yet her natural interests drew her toward the sea. Portuguese ports afforded ample facilities for commerce, and her citizens were in no way inferior to the Italians. Moreover, her possibilities for development in the Iberian peninsula had been closed by the spectacular rise of Castile, so if growth was to come at

all, it must come by way of the sea. She could, however, hardly expect to participate extensively in Mediterranean commerce, because she faced out upon the Atlantic, directly away from the established lines.

Barred by circumstances from expansion in Europe and by location from any great Mediterranean trade, Portugal turned her attention to Africa. Early in the fifteenth century the Portuguese government succeeded in establishing a foothold in the northwestern section of the Dark Continent, and these military successes were planned as the prelude to commercial activity. Caravans traveling northward from the unknown interior brought tales of wealth, less glowing to be sure than those from the Far East, but full of promise for enterprising merchants. Besides stories, they brought samples of the wealth itself, gold, ivory, and negro slaves, all of which were to be had at absurdly low prices if one could penetrate sufficiently far to the south. But overland trade was expensive, as the customers of these caravan drivers had ample opportunity to learn. Why not, so the Portuguese began to ask themselves, attempt to tap this trade at its source, not by means of caravans, but more directly, by sea?

Fortunately, Portugal had in the person of the king's brother, Prince Henry, the Navigator, a man with both the enthusiasm and the means to make the trial. Actively interested in the development of his country, and filled with the genuine zeal of the modern "promoter," the Prince devoted his life to fathoming the possibilities of African trade. In some respects he had the qualities of the modern scientist, especially in his careful preparations, and in his unbounded thirst for knowledge. Although he was not an explorer himself, he made exploration his life work. Freed from the burden of earning a living, because he belonged to the royal house, untied by family responsibilities, because he was a bachelor, and saved from the cares of state, because he was a younger son, Henry had the making of his career entirely in his own hands.

At Sagres, on Cape St. Vincent, the Prince established a school for the study of geography and navigation. Because of his fame he was able to secure, as students, or teachers, or both, some of the best-known sailors and geographers in Europe. And these enterprising leaders were not satisfied merely to pore over maps. They were engaged in making maps and charts of their own, and in trying out new designs in shipbuilding. As a result of their investigations

and experiments, every new expedition which went out was better equipped than its predecessor.

Before 1450, the Portuguese had planted colonies in the Madeira and Cape Verde Islands, and, what was more to the point for them, they had opened up trade with Central Africa, by way of the Atlantic coast. The actual time of Henry's work lay between 1418 and 1460, but the impetus which he gave to African exploration continued until long after his death. By 1471, captains trained under him had reached the equator. Fifteen years later, Bartholomew Diaz rounded the southern end of Africa, which he called the Cape of Good Hope, because it opened the way to the much-desired East. In 1498, Vasco da Gama reached the goal itself and by so doing demonstrated not only the existence, but the entire practicability of an all-sea connection with the Indies.

The significance of that achievement is sometimes overlooked. It was something of course to discover a new route. From the Portuguese standpoint, it was something more to have established all-water connections with the storehouse of Eastern wealth, and to be able to make such drastic price cuts in the spice business that the European world came to them to buy. But it comes to few men, as it came to Vasco da Gama, to upset the established routes of untold centuries, to make what had been the broad highway of maritime commerce a mere tributary to infinitely greater lines of trade, and to give to the world two broad oceans to travel over, in place of a mere inland sea.

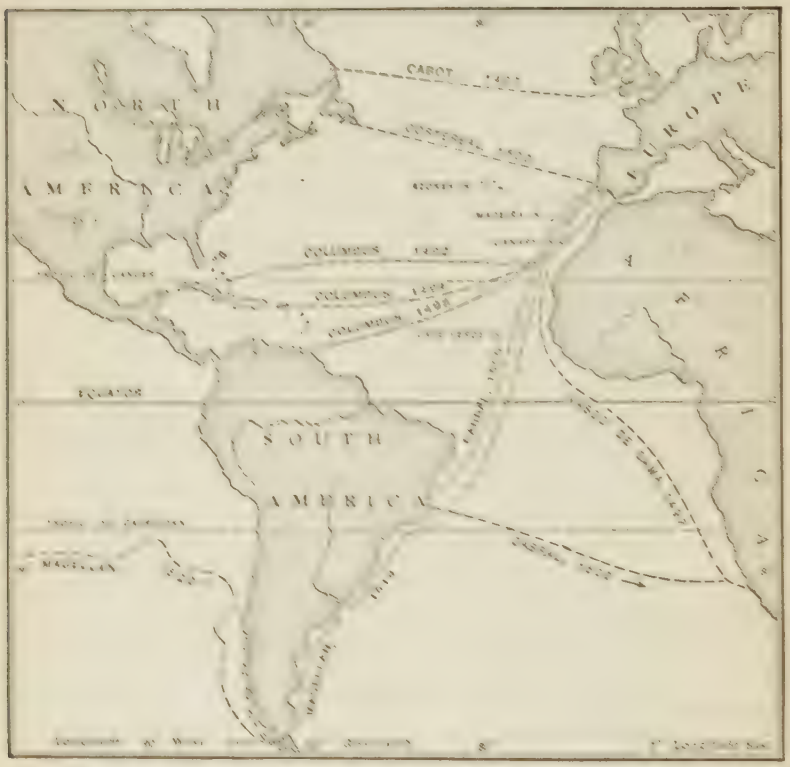
When European traders began to use the Atlantic and Indian Oceans, and before long the Pacific as well, Venetian prosperity and Venetian greatness steadily ebbed away. Then, as the Atlantic cities came into their own, history unfolded one of the most engrossing pageants of all time, the rivalry of great nations for the possession of a new world.

COLUMBUS

Naturally Portugal was not left alone and unchallenged to enjoy her fame and her growing wealth. Before the end of the fifteenth century, the Spanish government had practically completed its task of unifying and consolidating its domain. While the two sovereigns, Ferdinand and Isabella, were still flushed with enthusiasm over the success of their work, the discoveries of the Portuguese opened for them the way to even greater achievements. And yet it may well be

doubted whether they would have seen this opportunity, had it not been for the stubborn persistence of a Genoese sailor.

The story of Columbus is too familiar to require more than a notice here. Interested from his early youth in maps and in navigation, he



Routes of Discoverers

spent some time in Prince Henry's school, and married the daughter of one of Prince Henry's captains. He was blessed with an original mind, which enabled him, in the words of a famous American manufacturer, "to think cross lots," to work toward new theories, unhampered by fixed notions of the past. And, granted that his premises had any soundness in them, his idea was so simple as to seem almost absurd. Why not beat the Portuguese, as the Portuguese had beaten the Venetians, by using the sea? And why not improve upon the Portuguese course, by sailing in a straight line, instead of in

something like a long parabola? Simple enough, to be sure. But, so stubborn was mankind, and so devoid of imagination, that it took the genius, as it always does, years to convert the ordinary human being.

Finally, Columbus got the commission he wanted, authorizing him to try the experiment, and incidentally to discover new lands on the way. He was made vice-admiral, and governor of lands that he might find. If he achieved the success which he wanted, he was to have one tenth of all precious metal secured. Not a bad bargain, provided he could actually reach the Indies.

But neither the first, nor any one of the three following voyages which he made, brought him either wealth or immediate fame. Whatever he may have found, he certainly did not reach the Indies, and his employers were as much disgusted as he was disappointed. As a matter of fact, his real achievement was, if anything, greater than da Gama's, yet because he was so obsessed with the sense of failure, he did not take the trouble to attach his name to his discoveries. Because Columbus was looking for spices and found none, it remained for Americus Vespucius, who was looking for fame, and found it, to get the credit for first reaching a new world. It was no solace to Columbus that posterity should elevate him to his rightful place in the list of explorers. And again, it is no detraction from his greatness to show that even if he had never sailed, the Portuguese Cabral would have reached the new world purely by accident, as he did in 1500. Columbus has all the credit which goes to the pioneer in a new field.

By the end of the fifteenth century, therefore, two of the Atlantic powers had succeeded in reaching worlds hitherto closed to Europeans. And so, that there might be no risk of losing whatever value Columbus's much-criticized discovery might have, the Spanish government turned to the Church, the only international authority of the day, for a title to its new property. It so happened that at this time the only Spaniard who has ever held the papal office, Alexander VI, was then at the climax of his power, hence the request of the two sovereigns was granted. The pope gave to Spain the lands already discovered under her auspices, and any that might be so found in the future, provided only that such lands were not, and had not been, in the hands of any Christian power. The pope issued another bull, in the same year, fixing a line one hundred leagues west of the Azores, beyond which other nations were not to be allowed to establish claims.

In 1494 the two nations directly concerned, Portugal and Spain, agreed to accept the principle of a papal division of the non-Christian world, and to this end they drew up the so-called treaty of Tordesillas, by which Spain took the lands to the west of the line, and Portugal those to the east. This done, the two enterprising governments settled down to vigorous exploitation of their respective colonial fields.

CHAPTER II

ANGLO-SPANISH RIVALRY, 1500–1600

SPANISH EXPLORATION

If Columbus could have lived for only a few years longer, his discouragement would have given way to well-founded elation. His successors, aiming as he did at a direct, western route to the East, made extensive explorations in and about the lands which he had discovered, and in the course of their attempts to get around or through America, they were not long in coming to a full realization of its value. In 1519, the very year that marked the union of all the Spanish and Hapsburg possessions in the person of young Charles V, Hernando Cortez began his spectacular conquest of Mexico. Within three years this ablest of the Spanish empire builders had virtually completed his work, and for the first time in her history Spain was in possession, not only of a store of accumulated riches, but of gold mines of incalculable value.

Before the end of that same decade, the exploits of Cortez were duplicated by Pizarro in Peru, and another nation of civilized Indians made over its gold to Spain. These two conquests freed Charles V from any serious concern about revenue, provided his lines of communication could be kept open; and at the same time they made it unnecessary for him to spin fine theories about the balance of trade. The sources of his wealth were direct, not indirect, and his whole colonial policy was founded upon this single fact.

The story of Spanish exploration during the first half of the sixteenth century is one of the fascinating chapters in the history of mankind. Always in search of gold, sometimes for the fabled fountain of youth, but never indifferent to the more prosaic matters of mere geography, Spanish expeditions explored nearly the whole Atlantic coast, from Nova Scotia to Cape Horn, including the Gulf of Mexico, and the equally long stretch of Pacific coast, from the Straits of Magellan to Oregon.

And the Spaniards were not satisfied simply to observe the coasts.

Some expeditions, carrying or driving provisions for long trips, struck boldly into the interior. Although these wanderings brought almost unlimited hardships, and no gold, they were not without their gains. Before 1550, thanks to the ambition of some of his agents, Charles V was in possession of reports describing the entire southern area of what is now the United States, from Florida through to California, and from the Rio Grande as far north as Kansas. North of Mexico and Georgia the Spaniards did little but explore the country and lay claim to it, for possible use in the future. South of the Rio Grande, however, they not only explored, but colonized an area fully twenty times as large as their own country in Europe.

THE SPANISH EMPIRE

There used to be a tendency to make light of these Spanish achievements in the new world, but that attitude has, or should have, long since disappeared. Previous to the nineteenth century no nation had ever accomplished so much, in the way of empire building, as did Spain during the sixteenth. In area, her domain included all of South America except Brazil, practically all of Central America, and Mexico as well, with all of the larger West Indies thrown in for good measure.

By 1574, slightly more than fifty years after the establishment of Spanish power in Mexico, the empire of Philip II had in the new world about two hundred cities and towns, exclusive of mining camps. The city of Mexico was a thriving metropolis, with an Indian population running up, according to some estimates, to one hundred fifty thousand, while the Spaniards themselves numbered fifteen thousand. As late as 1775, nearly a hundred and fifty years after its founding, Boston had hardly passed the thirty thousand mark in population. And the physical growth of Mexico City was even more imposing. Its public buildings compared favorably with those in Spain, and the list included hospitals, churches, monasteries, high schools, and a university.

The Spanish colonial empire differed from the English in many respects, but in none was the contrast more striking than in the Indian policies of the two powers. The success of Anglo-Saxon colonization seemed to make necessary, if it did not depend upon, the removal or the extermination of the natives. The Spanish system, on the other hand, resulted, not only in the retention of the Indians, but in many cases in the establishment among them of a

genuine Spanish civilization. Under the direction of Spanish officials, the Spanish form of government was introduced and established. At the same time, with the help of these same agents and of the Jesuit priests, Spanish culture and the Catholic religion were made to prevail throughout the whole Spanish domain. So thoroughly and so well was the work done that the whole extent of the old Spanish empire in America is still essentially Spanish to this day.

In working for the conversion of the Indians, and for the spiritual welfare of the Spanish colonists, the Jesuits relied upon the good results of a sound educational system. By the middle of the sixteenth century plans were completed for the establishment of two universities in America, one at Mexico City, the other at Lima, Peru. The first was opened in 1554. Both became thriving institutions. By 1700, the university at Lima had two thousand students. They were doing excellent work in anthropology, linguistics, geography and history. In the words of one of the leading authorities on Latin America, "in number and range of studies, and standard of attainments by the officers, they surpassed anything existing in English America until the nineteenth century."

In the personal governments of the sixteenth century, the ambition of the monarchs was generally in advance of actual achievement, even when achievement was remarkable. And so it happened that whenever a favorable opportunity should present itself, Philip II, the successor of Charles V, was ready to double the size of his empire. In 1579 a fortunate combination of circumstances enabled him to present and to make good his claim to the Portuguese throne. By 1581, he was in full possession of both the Spanish and the Portuguese empires. His new acquisitions included Brazil, a country large enough for an empire in itself, and the Portuguese trading stations both in Africa and in India. The line of demarcation and the Treaty of Tordesillas ceased to exist, and Philip II might indeed look upon himself as the arbiter of the fortunes of the world. Never before in human history had one man controlled any such vast collection of territory, and never before did any ruler have at his command such seemingly inexhaustible economic resources.

In the sixteenth and seventeenth centuries the theory of monopoly permeated the commercial structures in Europe, and this same principle was carried over into colonial trade. Long before Spain acquired the Portuguese possessions she had organized her American

commerce in such a way as to exclude, not only all foreigners, but also a large number of Spanish merchants. In this system nothing was left to chance. Once, and only once, every year a great fleet of Spanish merchant vessels, under heavy convoy, sailed from Spain to the new world. When they had crossed the Atlantic, the fleet divided; some of the vessels went to Vera Cruz, the others to Porto Bello. On this outward voyage were carried all the European and Eastern commodities which the settlers in New Spain might need, or rather all they were allowed to have, for a year. Then, Spanish American goods, gold, silver, and tropical products, were collected at these two ports, in time for the return trip. The two parts of the fleet joined again at Havana, and from there, again under convoy, proceeded back to Spain. For a hundred and fifty years this iron-clad system was in force, and absolutely no other trade was permitted. All the arrangements for both outward and homecoming voyages, down to the most minute detail, were regulated by the Spanish government.

Although Philip II was compelled to grant liberal political concessions to the Portuguese, in order to reconcile them to his rule, there was nothing to indicate that the newly acquired African and Asiatic trade would be handled any differently from the American. Thus, with the principle of government regulation carried to an extreme, all the available wealth of Africa and the Indies would rest in the hands of Spain, to dispose of as she saw fit. Her commercial edifice was just as imposing as the political.

In the establishment of this world-wide empire, Charles V and, for a time, Philip II were unhampered by any competition. To be sure, Charles V was at war with France during his whole reign, but the stakes in this contest were European, not colonial. The French kings were at first interested in schemes for expansion in Italy. Then, before they would admit defeat there, the advent of the so-called religious wars blinded them to everything outside of Europe. It was not until the reconstruction period under Henry IV that France seriously turned her attention to the new world.

ENGLISH ECONOMIC INTERESTS

But even before the consolidation of Spain and Portugal had been consummated, the first clear signs of genuine aggressive rivalry were already in evidence. When Spain and Portugal had divided the

newly-discovered world between themselves, they gave little thought to other governments, and perhaps none at all to England. But the new king, Henry VII, was ready to indulge his interest in exploration, provided it could be done at little cost. In 1497 another Genoese sailor, John Cabot, sailing under an English commission, discovered the continent of North America, thereby securing to his employer a title to nearly half the western world. For this service the frugal Tudor bestowed upon the explorer the sum of £10, the equivalent perhaps of $400, in modern purchasing power. For this investment Henry evidently expected something more tangible than a title, and when no signs of return appeared, this prince of misers would risk no more on any profitless transatlantic schemes. What his self-indulgent son, Henry VIII, would have seen in North America, had he not been disturbed by other interests, was never made known. As it was, he got himself so deeply involved in theological controversy and in ecclesiastical reorganization that the world outside made little appeal to him.

But whatever may be alleged against Henry VII for his downright stinginess, or against Henry VIII for his extravagances—financial, ecclesiastical, or matrimonial—there is no doubt that they laid the foundations of English prosperity, and of English maritime greatness. Henry VII had been interested in shipbuilding as well as in exploration, even going so far as to offer bounties for the construction of large vessels. Moreover he built the first dry dock in England, at Portsmouth. Henry VIII displayed an even livelier concern in English sea power. In 1545 he established the Navy Board, and he also founded the training school for pilots, still in existence, known as Trinity House. These proceedings explain where the seamen of the next generation, the famous Elizabethan sea-dogs, got their start.

The economic development of England during the Tudor period differed radically from that of Spain in character, and more especially in prospects for the future. Spanish wealth depended, not at all on the cultivation of Spanish resources, but on the systematic exploitation of the new world. Spain was receiving much, and from the economic standpoint, giving almost nothing. In the case of England, on the other hand, colonial development was preceded, in fact really forced, by the remarkable industrial growth and commercial expansion within the nation itself.

By the middle of Elizabeth's reign, progress was evident in the

whole range of manufacturing. Most of the older crafts were enjoying a much larger market. Builders, for example, were kept busy in supplying the demands for new dwellings. This was the transitional period in customs as well as manners, and every man, merchant, or noble, who could afford it, was getting a new house. Artisans in the textile trades were busy trying to provide the varied and more expensive fabrics which fashion required the social leaders to wear. Both men and women were equally anxious to move just ahead of the rapidly changing styles, and in their efforts to beautify their persons, they called upon the lace makers and jewelers to aid the tailors.

In addition to the steadily increasing activity in the old trades, new ones were always becoming more important. The invention—or discovery—of the art of printing brought into being a whole group of crafts. Naturally the printers were busy, and with them the paper makers, bookbinders, press makers and type founders. Map makers and instrument makers too, were always at work, putting the new discoveries of science at the disposal of merchants and sailors.

Industrial development is partly the cause, and partly the result, of increasing activity on the part of the merchants, those who buy and sell what others produce. As their trade increased, the merchants began to save money. This accumulating capital made possible even larger and more extensive business operations and connections, as well as the rise of a class of promoters, men who were always on the lookout for new enterprises, new chances to make money. Both manufacturers and merchants became vitally interested in the prospects of wider markets.

All this economic growth was genuine, solidly established in the nation itself. It was, moreover, unlike the activities of Spain, the result of private initiative. English speculators, merchants, and investors were all trying to make more money. Before long the contest became too expensive for individuals, so groups with common aims and interests turned to the device of the joint stock company. In these associations, chartered by the crown, merchants and others could pool their resources, and so undertake heavier risks, with the chances of heavier profits. Early in the sixteenth century the Merchants Adventurers were chartered, to explore and to trade in the Far East. In 1554 appeared the Muscovy Company, to develop trade in Russia. These were the predecessors of a large number of such organizations, the most famous of which were perhaps the East India

Company, chartered in 1600, and the Hudson Bay Company. With the necessary financial backing assured in this way, Englishmen were prepared to push their lines of commerce into every part of the world, and sooner or later, their efforts were bound to bring them into conflict with the great monopoly of Spain.

The driving power imparted by this expanding economic life of England was reinforced by certain other issues, among which religion and the beginnings of national pride were especially important. As the great champion of Catholicism Philip II was prepared, if he could, to overthrow Protestantism wherever it prevailed, and England seemed to demand special efforts on his part. No Spaniard could forget the unmerited treatment which Catherine of Aragon had received at the hands of Henry VIII, and no Catholic could forgive the deliberate repudiation of papal authority which Elizabeth had sanctioned and approved. There had been cause enough to act, even before 1570, when Elizabeth was formally excommunicated by the pope; after that, it became a religious duty to deprive her of her throne, if not of her life. Philip, therefore, was ready to encourage plots against the queen, in order to give her place to the more orthodox Mary Stuart. In defending their religion, Englishmen were well aware that they were defending not only their ruler, but their whole system of government. The underlying issues in the contest between England and Spain were therefore commercial interests, which involved colonies and sea power; Protestantism; and national independence.

ENGLISH SEAMEN

For fully twenty years before war finally came the feeling of each nation toward the other grew steadily more bitter, while minor conflicts in various parts of the world foretold the approach of the crisis. Among these early manifestations of increasing hostility the activities of the Elizabethan seamen stand out supreme. These daring adventurers, with John Hawkins and Francis Drake at the head of the list, set out deliberately to defy the power of Spain, and to seek their fortunes in the forbidden trade of her empire. Neither the Spanish monopoly nor the whole Spanish navy had any terrors for them, and "singeing the beard" of Philip II became their favorite pastime. The exploits of these aggressive Englishmen were so spectacular that historians of the present day find it difficult to treat them for what they were. It is easy to call them pirates, but it is infinitely more

entertaining, and perhaps just as profitable, to collect all the extenuating circumstances, and then to follow them on their voyages. Even the tales of Sindbad the Sailor offer nothing more romantic.

The specialty of Sir John Hawkins was the African slave trade. His market was the Spanish main, or more accurately, the whole West Indian and Caribbean region. There the Spanish planters, always in search of labor, were eager to buy his cargoes, monopoly or no monopoly. But they had to act with circumspection, for Spanish law prohibited slavery, and the officials were sometimes more interested in their standing at home than in the economic problems of their subjects. But Hawkins had a ready wit, and a resourceful mind. His favorite trick was to make a secret arrangement with his prospective customers first, and then to make an open threat to bombard the colony out of existence unless it would buy his blacks. Thus the colonists could get their slaves, and answer the complaints of inquisitive officials at the same time.

Hawkins's profession has long since been condemned and abandoned, but to his own age he was no reprobate. On the contrary he was a real philanthropist, conferring benefits upon both planter and slave. The planter had to have labor, or perish, and it was surely a meritorious act to keep him alive. As for the negro, left to himself in pagan Africa, he could never be brought into contact with the blessings of civilization. Was not life in a Spanish colony, even for a slave, worth infinitely more than endless savagery? Hawkins looked upon his own work with both favor and pride, and he considered his high percentage of profit as concrete evidence of divine approval. The valiant slave trader was withal a man of deep, sincere piety, and he had no knowledge of that disconcerting modern psychology which sometimes points out the proneness of human beings to identify their own desires with the will of God. His favorite slave ship he named "The Jesus," and he could record in his journal how, just as he was about to fall into the hands of the Spaniards, "Almighty God, who never suffereth his elect to perish, sent us the ordinary breeze."

Francis Drake, a young relative of the eminent Hawkins, had nothing in particular to sell to the Spaniards, but he was fired by a holy hatred of their faith, as well as by a deep-seated hunger for vengeance. As a youth he had been sailing in Hawkins's service when the Spaniards nearly succeeded in putting an end to both their

promising careers. And, incidentally, the seizure of Spanish treasure, with all the risks involved, was work which appealed to a man of action. Between 1572 and 1574, Drake took part in a number of raids upon the Spaniards in the West Indies. Then, in 1577, he passed through the Straits of Magellan, and sailed up the west coast of South America, plundering Spanish colonies as he went. No Englishman had ever appeared on the Pacific before, and the complete surprise of Drake's attack made his work absurdly easy. His efforts in that quarter were brought to an end solely by the limited capacity of his ship. Once he was through, he did not risk a return by the way he had come, so he struck out across the Pacific, and finally got back home by way of the Far East.

The sheer audacity of these Englishmen compels admiration even now, and it did then, everywhere but in Spain. Naturally the Spanish ambassador complained bitterly to Queen Elizabeth, and just as naturally, she blandly assured him that she knew nothing of these men. But when Drake returned, the Queen herself conferred knighthood upon him, on his own quarter-deck too, and she seems to have been well taken care of in the division of his spoils, which were, officially, stored up for restitution to Spain! It is no wonder that the Spanish ambassador wrote to his king that the woman was possessed of a hundred thousand devils. How else could so much duplicity be concentrated in the frame of one frail woman?

But the exploits of these enterprising seamen, and the attitude of the virgin queen toward them, were not the only grievances which Philip could list in his indictment of England. When his Dutch subjects rebelled against the rule of his none too amiable half-sister, Elizabeth sent them encouragement, in secret of course, and subsequently both material help in money and men. Even though the value of her assistance was nullified by her incompetent favorite in command, the effect upon Philip was just as pronounced. He had already ceased his offers of marriage, which Elizabeth had never taken very seriously. Now he might have posed effectively as the injured victim of a treacherous woman, had he not been involved in plots to put Mary Stuart upon the throne of England, and with her help, to reëstablish the Catholic Church. Because of the evidence of his interest, if not complicity, in the Ridolfi plot of 1572, Philip's hands were anything but clean.

If Philip was guilty of plotting against Elizabeth, she could give

her subjects free rein in their efforts to break down the Spanish colonial and commercial system. Maritime exploits like those of Hawkins and Drake led naturally to attempts at colonization, and in 1585 Sir Walter Raleigh made the first advance. After some preliminary investigation, Raleigh sent out an expedition of seven ships, with two hundred colonists, to "Virginia", and the colony was planted on Roanoke Island, in territory claimed, though not occupied, by Spain. But life in the wilderness proved so unattractive that in the following year all but fifteen returned to England. In 1587, Raleigh sent out another group of colonists. Then came the war with Spain, during the first part of which no Englishmen had any time for attention to the little Roanoke settlement. It was not until 1591 that a relief expedition could be started, and when this reached Virginia, the leaders could find, as the barest trace of the unfortunate colony, nothing but the word "Croatoan" carved upon a tree.

THE SPANISH ARMADA

Unsuccessful as it was, this attempt to violate the Spanish claim was another goad to Philip, already infuriated over the commercial situation. Then, when Elizabeth ordered the execution of Mary Stuart, Philip decided that there was nothing left but the appeal to force. He was right. The only way that his commercial structure could be saved was to subject England to his rule; then, and only then, could Philip put a stop to her continued attacks. If he won, he would save his own empire, and deal a crushing blow to Protestantism. If he failed, he knew that the days of Spanish greatness would be numbered.

When the war finally came, it found Elizabeth in a truly enviable position, with the united support of the whole nation behind her. Every merchant was aware of the advantages to be derived from Spanish defeat. Parliament, which represented both the merchants and the country gentry, was in full sympathy with the queen. The nobles, including even the Catholics, gave their support, because they resented Philip's threat to English independence.

The most spectacular part of the war came in the beginning. Philip planned to overwhelm England with a single, crushing blow, and to that end he organized his famous Armada. He mobilized a fleet of a hundred and thirty vessels, with a total force of thirty thousand men. Over half these were soldiers, and the fleet carried

the entire equipment for a great military campaign. It was the aim of the Spanish commander, the Duke of Medina Sidonia—a general, not an admiral, by the way—to effect the conquest of the British Isles.

The story of the British defense is well known. Elizabeth called upon her seamen, who had the most at stake. For chief in command she selected Lord Howard of Effingham, and he had as vice-admirals both Hawkins and Drake. The English navy was not large enough to engage in open battle with the whole Spanish force, but the defensive operations were planned and executed with thoroughgoing effectiveness. The English vessels were smaller, more seaworthy, and much better handled than the Spanish, while the English artillery and marksmanship were far superior. As a result of the efficiency of the English, and of the effectiveness of the unfavorable winds and storms, the Spaniards were hopelessly beaten, while the English lost not a single ship, and only sixty men.

The defeat of the Armada may well be listed among the decisive achievements of history. The Spanish loss in men and in ships could easily have been made good, but the defeat destroyed the morale of the Spanish seamen. That could not be restored. As a result, Spanish sea power was broken. By 1591, the English had seized over eight hundred Spanish ships, and by 1596 they actually captured Cadiz itself. Of course the defeat did not mark the end of the Spanish navy, nor the end of the Spanish empire, but it did mark the end of Spanish expansion. Thenceforth the history of Spain is one of decline.

As for England, her victory opened the way to colonial and commercial greatness. The Raleigh experiment had revealed the nature of the former obstacles. In order to establish a colony a nation needed control of the sea, to keep the new settlement properly supplied until it could take care of itself. Thus the defeat of the Armada, by enabling England to build up her navy, freed the colonies of the seventeenth century from the menace of Spanish interference. And because it encouraged the English merchants to undertake colonial ventures, the defeat of the Armada proved to be one of the most important episodes in the early history of the United States.

CHAPTER III

THE SETTLEMENT OF VIRGINIA AND MARYLAND

It was not until the reign of James I that Englishmen were able to establish their first permanent colony in America. By that time a number of English joint stock companies were investigating or developing commercial possibilities in various parts of the world, and the profits of the most famous of them, the East India Company, were reputed to run as high as one hundred per cent. In view of their extraordinary success in the East, a field supposed to be reserved for the Spanish and Portuguese, it seems surprising that Englishmen had made no concerted effort either to oust the Spaniards from their American holdings, or to build up new colonies there of their own. Naturally the war had tended to discourage colonization in America, and perhaps the unfortunate end of the Raleigh experiment at Roanoke helped to turn companies away from the western world. Or again, perhaps the English merchants were getting all they wanted from America, during the war, in the shape of Spanish plunder. Peace was not made until 1604, and it may be more than a mere accident that the first two English companies organized to exploit America were chartered just two years later. By putting a stop to the plundering of Spanish treasure ships, the end of the war closed the easiest road to American wealth, but once it was closed, enterprising speculators and merchants could try colonization.

The organization of the London and Plymouth Companies was not greatly different in principle from that of the other joint stock companies which had preceded them. They were business enterprises, pure and simple, created to start new settlements with the primary object of making money.

THE JAMESTOWN SETTLEMENT

To the London Company the king's charter granted the territory between the thirty-fourth and the forty-first degrees of latitude, and to the Plymouth that between the thirty-eighth and forty-fifth, with

the provision that in the region where the grants overlapped, there must be a gap of at least a hundred miles between the settlements of the two companies. With the grants of land the Companies received authority "to deduce a Colony . . . into that Part of *America*."

In addition to granting the land, the crown made what seemed to be ample provision for the government of the colonies to be founded under this charter. Each colony was to have a council of thirteen members to govern in accordance with royal orders; the members of these bodies were to be appointed by the king's authority, and were removable by royal instruction. In addition, there was created the "Council of Virginia", in England, to have general oversight of the two colonies.

According to English law of that time, no subject could leave the realm without the king's consent; the charter therefore conferred upon the two companies full authority to take out colonists. These settlers, and their descendants, were to "have and enjoy all Liberties, Franchises, and Immunities, within any of our other Dominions, to all Intents and Purposes, as if they had been abiding and born, within this our Realm of *England*, or any other of our said Dominions."

This first charter did not confer even a semblance of self-government upon the prospective settlers. The councils were created by, and subject to the king. The various rights referred to in the preceding paragraph were only those which were in existence in 1606, not those which were secured later. At that time, there was comparatively little self-government or democracy in England. Again, the companies and the councils were created by act of the king, not of Parliament, and at that time Parliament had no voice in them. It was not until after the Civil War that Parliament began to extend its activity into colonial matters. But these circumstances did not disturb the early Virginia pioneers, because they were not interested in political science, either theoretical or practical.

The first settlers arrived in Virginia in 1607, and very unwisely decided to make their homes at the mouth of the James River. Here a combination of brackish water and malarial mosquitoes soon brought on sickness. It was partly this unfavorable location, and partly a combination of circumstances which neither the Company nor the colonists could control, that account for the hardships of the early years. The first settlers were of all kinds, gentlemen, artisans, and laborers, on the whole a good average lot of Englishmen.

Their environment, however, was anything but average. Any group of civilized human beings, no matter how intelligent and able they may be, will find it difficult to adjust themselves to life in a wilderness. They were three thousand miles away from their base of supplies, and that meant about two months. Because they could not begin to raise their food at once, they had to import it from England. Some of the supplies which the Company bought spoiled in transit, while some were bad when they started. Contractors cheated the Company unmercifully. The colonists did not succeed in raising even maize until 1609. Two years is a long time to depend upon imported food, when it had to be brought in under those conditions.

In the course of a few months, the health of the colony was almost hopelessly bad. Poor food, combined with disease, probably malaria, left the men weak and discouraged. At one time during that desolate first year only six well persons could be found in the colony. According to reports, they were so badly off that "some of them would eat their fish raw, rather than they would go a stones cast to fetch wood and dresse it." In 1610, Sir Thomas Gates described the situation as follows: "Cast up this reckoning together: want of government, store of idlenesse, their expectations frustrated by traitors, their market spoyled by the Mariners, our nets broken, the deere chased, our boats lost, our hogs killed, our trade with the *Indians* forbidden, some of our men fled, some murthered, and most, by drinking of the brackish water of James fort weakened, and endaungered, famine and sicknesse by all these meanes increased. . . . Above all, having neither Ruler, nor Preacher, they neither feared God nor man, which provoked the wrath of the Lord of Hosts, and pulled downe his judgements upon them."

In addition to all these reasons for discouragement, the very system on which the colony was founded made success almost impossible. The aim of the Company was dividends, to be derived from the labor of the settlers. The colonists were not independent farmers, but merely the servants of the Company. With the Company as the sole land owner, it is not surprising that the men were lazy. And, because whatever they made went to enrich the Company, instead of themselves, they could see no incentive to work. The greatest stimulus to activity, the opportunity for private gain, was conspicuously absent.

Whenever anything goes badly with civilized man, be it famine, earthquake, or indigestion, he is inclined to blame the government.

Thus in 1609 the promoters of the Virginia colony applied for a new charter, in order that a better system of control might be installed. This second charter ended the connection between the London and the Plymouth Companies, and abolished the council which had resided in the colony. Under the new system there was to be only one Council, resident in England, with a Treasurer as managing director. This body was given full power to make all laws and regulations necessary for the government of Virginia, provided that such laws were not inconsistent with those of England, together with authority to rule over the settlers. In Virginia, the authority of the Company was vested in a governor, appointed by the Council in England. The charter was so drawn that the Treasurer could act as the real executive head of both Council and colony.

In 1611, on the strength of this charter, the Council placed the colony under martial law. Everything was organized on a military basis. The men not only carried arms when they went to work, but marched back and forth, in true military style. The regulations, known as Dale's Laws, under which this system was carried into effect, were drawn up by the Council in England and enforced, perhaps not very strictly, by Sir Thomas Dale, the governor. Toward the end of 1618, after about seven years of this rigorous government, the colony numbered about six hundred souls. The Company had spent about eighty thousand pounds, and far from being able to pay any dividends, was then about five thousand pounds in debt. The investors might well have begun to lose faith in American opportunities!

What the colony really needed was not so much change in government as economic reform. During these early years the real problem had been to maintain life itself, and neither the Company nor the settlers had been any too successful in doing so. By 1618, they were beginning to learn how to live in the new world, but a colony that could offer merely a bare existence would never tempt settlers to leave England. It seemed that all the ambitious plans for developing a complex economic life in Virginia had failed, and there was literally nothing for sale that would bring any profit.

TOBACCO

In 1616 the Company tried the experiment of making small three acre grants of land to individuals, in an effort to encourage industry.

This slight departure from the communistic system worked so well that the size of the grants was soon increased to fifty acres. Now the ambitious colonist found an incentive to work his farm; but he still had no real money crop. Then in 1616 John Rolfe discovered a new way to "cure" the tobacco leaf. This much-criticized—but invaluable—luxury was already becoming a necessity to fashionable England; and the new method of curing it solved Virginia's problem. Here was her money crop. Within six years the object of the "wrath of the Lord of Hosts" was showing unmistakable signs of prosperity. Every farmer in Virginia was raising tobacco. In 1619 Virginia exported twenty thousand pounds of tobacco, sixty thousand in 1624, and nearly half a million in 1628. These figures mean little by themselves, but, interpreted in terms of growth, they are highly significant. This extraordinary increase meant more plantations, more settlers, a greater colony in every way. In the course of seven years, from 1622 to 1629, the population increased from fewer than a thousand to about three thousand. At last Virginia was able to produce something that the rest of the world was eager to buy, and farming became a profitable venture. By 1630 she had achieved prosperity, substantial enough in all respects, even though it was "founded on smoke."

Quantity production of tobacco required labor, much more of it than the plantation owner himself was able to furnish. Some of this was secured from so-called "indented" servants, white settlers who were bound out for a limited term of years. Negro slaves also were used, as they were in the Spanish colonies. Just how early the blacks were first introduced is not entirely clear. The earliest reference to them is in 1619, when a Dutch man-of-war sold twenty "negars" to the colony, but others may possibly have come in before that date.

GOVERNMENT

These economic developments were accompanied by equally significant ones in government. In 1618 a liberal-minded, enterprising gentleman, Sir Edwin Sandys, became Treasurer of the Company. He had been profoundly affected by the disputes between James I and Parliament, so much so that he became one of the leading radicals of his day, an enthusiastic believer in representative government. In 1619, under Sandys's direction, the Company authorized the governor of the colony to call a general assembly, which should

include representatives from the various subdivisions of the colony. This representative body, the first that ever met in America, derived all of its powers from the Company, not from the settlers, and its powers were not very extensive.

In 1621, the Company proclaimed a so-called ordinance for the colony, which includes a description of the new legislature. There was to be a Council, appointed by the Treasurer and Council in England. The General Assembly included the Council, and two burgesses for every town, or hundred. This Assembly was to meet, at the call of the governor, once a year. All of its actions were subject to the governor's veto, laws passed must be in harmony with the laws of England, and no measure enacted by it could go into effect until approved by the Company in England. Clearly a legislature hedged around with so many restrictions could not get very far out of hand, and the Company did not propose to give it a chance. In this same ordinance the Company announced its intention, once the system of government was properly established, of giving the General Assembly a negative on the Company's regulations for the colony, a provision which never went into effect. Thus the House of Burgesses was not very different, in its powers, from the earliest Parliaments in England. Parliament met at the call of the king, and transacted the business he laid out for the members. They had no more independent powers of action than the little Virginian assembly. When the old Parliament happened to catch the king in a bad financial predicament, it could make his poverty the means for securing new power for itself, but for the House of Burgesses even this possibility was still so far distant as to be out of sight.

This ordinance of 1621 seems to have been the last constructive act of the London Company. In 1624, the next to the last year of the reign of James I, the king revoked the charter. He had been none too well disposed toward the Company for some time, partly because of its lively interest in tobacco culture. In 1604, James had published, anonymously, his famous *Counterblaste to Tobacco*, and he never departed from the sentiments therein expressed. Yet, with an inconsistency not unknown in moralists, when he found that the Company was just beginning to make a little money on tobacco, he determined to get a share of it in the form of taxes, to replenish his chronically empty treasury. The refusal of the Company to agree to his terms was one of the causes for the revocation of the charter.

More important reasons for the king's action were to be found in unsatisfactory reports from the colony, and in the liberalism of some members of the Company. The political philosophy of Sir Edwin Sandys, the Treasurer, and of those who supported him, had long been a constant cause of exasperation to James I. Furthermore the Company itself was torn by factional disputes, which furnished the king with additional excuses.

When the charter was revoked the colony was automatically brought under the control of the king. At this particular time it seemed easier to leave the main framework of the government as it was; therefore, more by accident than by design, the system outlined in the Ordinance of 1621 became the model for the royal colony. Henceforth, the governor and Council were appointed by the king; the House of Burgesses was left untouched.

This arrangement seemed to be thoroughly logical and sensible. There were two parties concerned in the government: the king, whose interests would be cared for by the governor and Council; and the voters, who were duly represented in the House of Burgesses. In the course of the next hundred and fifty years this system had ample opportunity to display its elements of weakness, as well as of strength. These will be described in due time. But in spite of the fact that this was the form established by the seventeenth century Stuarts, the Congress of the United States, as late as 1900, paid James I and Charles I the high compliment of installing this very system in Porto Rico.

SOCIAL CONDITIONS IN VIRGINIA

By 1630 or 1635 the colony of Virginia had begun to reveal clearly not only the political, but the economic and social characteristics which persisted in the tidewater region at least until the Revolution. It was almost entirely an agricultural colony, with the plantation as the most obvious feature. Every tobacco grower needed large tracts of land, partly to raise a large crop, because the margin of profit in tobacco was small, partly to guard against serious loss, because tobacco culture rapidly exhausted the soil.

The large estates in turn were responsible for the form of the local institutions in the colony. Because the agricultural system compelled the population to scatter over a wide area, there was no chance to import the English borough, or town system. Consequently the county became the unit of local government and of representation.

Moreover, the plantation system explains the origin of that curious social structure, the Virginian aristocratic democracy, of which William Byrd and George Washington were excellent examples. Because every planter, in the tidewater at least, was as good as his neighbor, all could participate in public affairs on equal terms. And because every planter was an autocrat on his own estate, he had no need of any outside government to attempt to regulate his affairs. He could do that perfectly well himself.

The modern "city prisoner" might well find much to arouse his admiration in the life of these country gentlemen of seventeenth century Virginia. There, on broad estates, and in spacious homes, they were living examples of freedom and independence. And they were not isolated. In their libraries were to be found the best works that England could offer; the eldest son, and perhaps the younger sons as well, were sent as a matter of course to England for university training. Fathers and sons wore clothes made in England, their tables were well provided with fine glass, silver, and linen, and they drank the best of imported wine. With slaves to do their work they had ample time for a pleasant social life and for hunting, horse racing, and gambling. To be sure their accounts with the English merchants who bought their tobacco had sometimes a way of going wrong, but England was a long way off, and their creditors did not embarrass them.

Naturally the planters controlled the government. The most conspicuous among them might confidently expect a place in the Council, while the House of Burgesses was virtually a planters' club. And of course they became justices of the peace or sheriffs or militia officers, so that local as well as colonial government was in their hands. Thomas Jefferson, who was typical of these aristocratic democrats, once prophesied that when commercial and industrial interests came to hold full sway in this country, the people would be far less happy. It is at least possible that he was right.

But even in the seventeenth century there were forces at work in Virginia destined to give a number of rude jolts to this self-satisfied, highly complacent, and withal very admirable aristocracy. As the fertile tidewater lands were gradually occupied, a whole fringe of new communities began to develop in the Piedmont section, beyond the fall line of the rivers. The population in this newer Virginia was recruited from recent English immigrants who lacked the means for

joining the tidewater group, and from the ranks of the indented servants. As these men completed their terms of service, they moved to the frontier, to begin life for themselves. In the newer upland communities the farms generally were smaller than those in the tidewater section, and they showed, for a time at least, less evidence of slave labor. Society in the Piedmont was homogeneous and democratic, but with the democracy of the American frontier rather than of the tidewater region.

It was only natural that as this population grew and as new counties were organized, the Piedmonters should demand a share of honors and power in the government. It was equally natural that the tidewater aristocracy—used to its own way by this time—should try to keep its control of affairs. This friction between tidewater and Piedmont furnishes the key to Virginia history from 1660 to the Revolution.

BACON'S REBELLION

The first concrete evidence of the friction in the colony was the contest known as Bacon's Rebellion, in 1676. After the Restoration in England, Governor William Berkeley kept the newly-elected legislature fourteen years. The governor himself was a conservative, the members of the House of Burgesses elected in 1661 were in entire sympathy with him, and the whole government was managed by a small but very influential clique. From this little circle the newer communities near the frontier were excluded, and consequently they were inclined to be critical.

Moreover, economic conditions were bad, and there is nothing which will bring about a disturbance more quickly than a combination of dissatisfaction with the government and hard times. For various reasons the price of tobacco was falling, while the cost of imported goods was rising. And so any ill-feeling against the government was bound to be rendered more intense by this economic pressure.

The immediate occasion of the disturbance was the outbreak of Indian warfare. As the westward movement of the white settlers went steadily on, the Indians became more and more alarmed. Year after year they saw new encroachments on their hunting grounds. They could see only one possible way of stopping the advance, and that was the resort to force.

When the attack came, those in danger appealed to the governor

for protection. He ordered out the militia, and then, for some reason known only to himself and to his friends, he revoked the order. Thereupon his numerous opponents in the colony charged that because of his interests in the fur trade, he preferred to let the people suffer rather than drive the Indians beyond the range of settlements. The House of Burgesses proposed to build forts to protect the frontier, but the people objected because of the heavy taxation involved. They wanted one good campaign, to finish the Indians once for all.

When Berkeley refused to move, the discontented elements took matters into their own hands. They began to raise troops, and Nathaniel Bacon, a dissatisfied member of the Council, assumed command. The governor promptly turned Bacon out of the Council, and the war became a three-cornered contest, with Bacon in the middle keeping both other elements turning about him.

By this time the voters were demanding the election of a new House of Burgesses, and incidentally a program of governmental reform. The gathering storm looked ominous to the governor, so he yielded, even to the extent of readmitting Bacon to the Council. With that difficulty cleared up, Bacon marched off against the Indians. No sooner had he gone, however, than Berkeley repudiated his agreements. This time Bacon came back, determined to safeguard his base of operations before attacking the frontier troubles. He captured Jamestown, and burned it. Shortly after that Bacon died, but the uproar cost Berkeley his place. The "old fool," as Charle II genially described him, was called back to England, to explain why he had found it necessary to hang more of his opponents than Charles II "had done for the murder of" his father.

This contest is significant, not on its own account, or for the results obtained, but because it reveals the trend of Virginia history. A group of tidewater planters was still in full control of the government as late as 1760, but the opponents of the system were steadily increasing in strength. Sooner or later they would be able to overthrow the organization.

MARYLAND

While Virginia was developing its system of prosperous tobacco plantations, Maryland, another agricultural colony, was founded, immediately to the north. The promoter of this enterprise was

George Calvert, Lord Baltimore, a government official of no little importance in the days of Charles I. As a secretary of state he had been able to keep in touch with the growing interest of the government in the Virginia colony. His own enthusiasm for colonial projects can be seen in his membership in both the London and the Plymouth Companies. He finally succeeded in securing the promise of a charter from Charles I, but he died before the document was ready. In 1632, his son, Cecil Calvert, received the charter, and prepared to carry out his father's plans.

The territory conveyed included the land between the northern boundary of Virginia and the fortieth parallel of latitude. The land system to be installed therein was distinctly feudal in character. Calvert, as proprietor, was supposed to have rights similar to those of the Bishop of Durham, in England. He was allowed to subinfeudate his land—a right which the king may not have had the authority to confer, because of the old Statute of *Quia Emptores*, expressly forbidding subinfeudation—and to erect manors, with all the paraphernalia of the middle ages: courts baron, courts leet, view of frank pledge, and all.

The system of government was distinctly more modern than the land system. The proprietor was given authority to make laws, with the advice and consent of the freemen, or their deputies. These laws must not be inconsistent with the laws of England, and the charter expressly provided that no interpretation should be placed upon it which would limit the allegiance to the king. These two limitations would tend to keep both the proprietor and his legislature from getting too far away from English control.

With reference to religion, Calvert, or Lord Baltimore, was given the patronage of all churches, with the express provision that they were to be "dedicated and consecrated according to the Ecclesiastical Laws of our Kingdom of England"; that is, the charter called for the establishment of the English Episcopal Church in the colony. But Baltimore reasoned that the document did not specifically *prohibit* the introduction of other churches, hence he permitted Catholic priests to set up the Roman Catholic worship.

It seems that the leading motive in George Calvert's mind had been a desire to found a great family estate in Maryland; his son Cecil, however, was interested in providing a place of refuge for the persecuted Catholics in England. When he inherited his father's

title, the two motives were tied up together. But the English laws against Catholics were very severe at that time, and any open attempt to found a Catholic colony would have stirred up enough protest to make necessary the revocation of the charter. Cecil Calvert's policy was therefore one of toleration. Of his settlers, probably seventy-five per cent were Protestants, and they could not be offended with impunity, especially in matters of religion. Cecil Calvert sent his brother Leonard over as the first governor, and in his instructions he made his religious plans unmistakably plain. The officials were to be careful "to preserve unity & peace amongst all the passengers," and to permit "no scandall nor offence to be given to any of the Protestants." Moreover, "all Acts of Romane Catholique Religion" were "to be done as privately as may be." All the Catholics were ordered "to be silent upon all occasions of discourse concerning matters of Religion," and the governor was warned to "treate the Protestants with as much mildness and favor as Justice will permitt."

Lord Baltimore knew how sensitive people were over Catholicism, and he was not at all eager to risk the loss of his charter. But the Jesuits who accompanied the first settlers were not blessed with the proprietor's sense of caution. They ignored the instructions, celebrated mass in public, and went out of their way to assert the supremacy of the Canon Law over acts of the Maryland Assembly, and over Acts of Parliament as well. When this news came back to England, Baltimore saw to it that his original instructions were observed.

When the colonists reached Maryland, their course of action made it clear that Lord Baltimore had turned to good account the early misfortunes of Virginia. The site selected for the first settlement—St. Mary's on the Potomac—was eminently satisfactory, especially in regard to health. Again, while Jamestown had been settled in May, Baltimore's first colony was so timed that it would be started in February (1634), in ample time for spring planting. Special efforts were made to begin food production without delay, and both corn and tobacco were planted that first season. In Maryland there was no fruitless search after gold, and, consequently, no "starving time."

In spite of this propitious beginning, the colony did not become really prosperous until the eighteenth century. For one thing few settlers went to Maryland. The average Protestant colonist preferred to go to Virginia or Massachusetts, while the Catholics were

always looking for better times at home, and so preferred not to emigrate. More specifically, Lord Baltimore's land system was not liberal enough at the start. His feudal arrangements could not compete with the much more liberal systems in both Virginia and Massachusetts. The average frontiersman wanted his own land, without the trappings of feudal tenure.

Eventually Maryland became a prosperous agricultural colony, and the cause of the change for the better is to be found in that all-important factor in American history: the westward movement. As the back country was settled, the farmers found that they could raise wheat to advantage, and profit. This proved to be a valuable product, considerably more so than tobacco, which they had tried at first. The tobacco market was limited, while the West Indies consumed all the surplus North American wheat they could get, and constantly demanded more.

NEW ENGLAND

While the London Company was working at what seemed to be, for a time, its forlorn hope in Virginia, its associate, the Plymouth Company, turned its attention to the New England Coast. In the summer of 1607 its first colony, Sagadahoc, was started, in what is now the State of Maine, at the mouth of the Kennebec River. If May was a bad time for landing in Virginia, August was infinitely worse for eastern New England. To be sure the months of July and August are the only ones that ordinarily provide warm weather in Maine, but there is not very much opportunity to begin farming at that time. No one who knows the fall months as they are in Maine could be surprised that before winter set in, the colony was deserted. It required definite motives and no little endurance to face the prospect of winter on that desolate coast.

Once the Sagadahoc colony had failed, the Plymouth Company seemed unable to promote settlements, and in 1620 it turned over its rights to its successor, the New England Council. This new organization, under the leadership of Sir Ferdinando Gorges, was given the right to trade, to grant land titles, and to establish and govern colonies in America anywhere between the fortieth and forty-eighth parallels of latitude. But the Council preferred to sublet its rights to others, instead of starting colonies itself. In 1621 it gave the Pilgrims a patent covering their settlement at Plymouth, and in

1628 it conveyed certain territory to a group of English Puritans, thereby enabling Endicott to begin the settlement at Salem. In 1629, Captain John Mason received from it a grant in what is now New Hampshire, and Gorges himself tried to build up a colony in Maine. In 1635, after an ineffective existence, the Council gave up its charter.

CHAPTER IV

PLYMOUTH AND MASSACHUSETTS BAY

Because of the importance of religion—or rather controversial theology—in the settlement of New England, the beginnings of colonization there were to a certain extent a part of the great Protestant movement which had turned Europe upside down. And, because English Protestantism was primarily the interest of the middle class, merchants and artisans, the settlement of New England was also a product of the great social change sweeping over England during the seventeenth century. Reference has been made to the expansion of English industry and commerce during the Tudor period. The men who were gathering the profits had already passed the nobles in wealth, and in many instances in learning and culture. But entrance to the social world, to which many aspired, remained in the hands of the nobles, who persistently refused to admit these interlopers of an inferior class. Excluded from this feudal society, the middle class leaders bethought themselves of other fields, in which they might find scope for their determination to lead and to manage. They turned naturally to Parliament, and tried to secure the election of as many of their associates as possible to the House of Commons, the doors of which could not be closed by the nobility.

PURITANISM

Likewise they turned to the Church, trying to make it over that it might conform somewhat more nearly to their own ideas and theories. They were impatient of the authority exercised by the bishops, the allies of the nobles in society and in the House of Lords, and of the distinctive trappings of the Episcopal system: robes, forms, and ceremonies. They did not wish to leave the Church, except as a last resort. What they wanted was still a national Church, but one in which the nobles and the bishops should be subordinated to the middle class. Puritans they were called, because of their desire to reform the things that were. They were their own masters in the business world, and their sense of superiority—perhaps due to

unconscious protest against the supercilious attitude of the nobles—turned them to their own consciences and to the Bible in matters of religious belief. With this state of mind, they tried to secure the appointment of Puritan clergymen in the churches, just as they aimed at the election of Puritan laymen to Parliament.

There is nothing more exasperating to a self-respecting human being than to find himself persistently ignored, or worse yet, ridiculed, by those to whom mere custom accords a higher rating than his own. Because the Puritans felt this scorn of the nobles, they instinctively developed certain reactions against it. Because others refused to be duly impressed with a sense of his real worth, the average Puritan was all the more impressed with it himself. Thus came the conceit, which was no insignificant trait in Puritan character. Again, because those whom the world regarded as his superiors were given to enjoying the luxuries and pleasures of this life, the Puritan was driven, perhaps unconsciously, to make a virtue of self-denial and abstinence, that his own qualities might shine forth more brightly. These virtues of his he proclaimed loudly and far, insisting that they were the only true and proper guides for human conduct. Because the world ignored him, or laughed at him, he would mold the whole world after his own pattern. Then who would laugh? Nobody, so at least the non-Puritans thought, as they observed these impassive, reserved, cold-blooded moralists go their ways.

Even the children in Puritan families were sometimes impressed with an awful conviction of their own wickedness, and loaded down with the weight of their own sins. As John Bunyan described his own childhood, even at the age of nine or ten, "these things did so distress my soul . . . that I was often much cast down and afflicted in my mind therewith, yet could I not let go my sins." It is not surprising that, when the parents actually believed in the damnation of infants, the children should develop unhealthy, morbid notions of sin.

For these enthusiasts the Calvinistic doctrine of predestination had a peculiar charm, and the more imaginative among them found pleasure in depicting the tortures of the nonelect. Even as late as the days of Jonathan Edwards, a congregation of New England Puritans could take deep satisfaction in the favorite sermon of that divine, which described the horrors of the unsaved soul: "O sinner! consider the fearful danger you are in: it is a great furnace of wrath, a wide and bottomless pit, full of the fire of wrath, that you are held

over in the hand of God, whose wrath is provoked and incensed as much against you, as against many of the damned in hell: you hang by a slender thread, with the flames of divine wrath flashing about it, and ready every moment to singe it and burn it asunder."

But these unlovely characteristics bring out only one side of the Puritans. They were, according to the English historian, Macaulay, "the most remarkable body of men, perhaps, which the world has ever produced. The odious and ridiculous parts of their character lie on the surface. . . . Those who roused the people to resistance; who directed their measures through a long series of eventful years; who formed, out of the most unpromising materials, the finest army that Europe had ever seen; who trampled down King, Church, and Aristocracy; who, in the short intervals of domestic sedition and rebellion, made the name of England terrible to every nation on the face of the earth—were no vulgar fanatics."

Deeply impressed with the seriousness of life and of death, the Puritan had no time to waste on what he considered non-essentials, either in religion or in politics. Worship he would reduce to "four bare whitewashed walls and a sermon," and government he would free from the incubus of a king and nobility. The rule of the elect should supersede that of the well-born. These were the people who turned English society, government, and Church, upside down, and their spiritual kinsmen founded new commonwealths in a new world.

Theologically the Puritans were not all in agreement. Some preferred to remain in the Anglican Church, and to reform it from the inside; others demanded Presbyterianism; while still others would have nothing to do with any existing organization. These Separatists demanded complete religious independence for every parish.

THE PILGRIMS

The group of Separatists known as Brownists gained more fame than the others, because of their daring experiment in settling on the New England shore. Finding life made miserable for them in England, in 1608 they went to Holland, just one year before the truce between Holland and Spain was due to expire. In spite of having gone to the Low Countries at this unpropitious time when war might be renewed within a few years, these Englishmen remained over ten years. The cause of their withdrawal may have been the well-

grounded fear that their children would lose their identity as Englishmen, or it may have been the outbreak of the Thirty Years' War which threatened to engulf all Europe. Whatever the reason, the Separatists decided to try their hands at American colonization.

After giving due consideration to the Dutch colonies of Guiana and New Netherlands, they finally decided to remove to the northern part of the London Company's colony. Unable to secure a charter, they got a patent, which allowed them to settle in Virginia. The Separatists themselves could not finance the enterprise, so they borrowed £7000 from some London merchants. They finally set sail in 1620, and in November they landed on Cape Cod, a long way from their destination. Just why they changed their plans has never been satisfactorily explained.

Their status in New England was not especially favorable. The patent which they had secured applied only to Virginia, consequently they had no legal right to settle in New England. But they decided to stay, in spite of the absence of organized government, and in spite of the want of shelter and supplies.

They could easily remedy the lack of government. Before they left the *Mayflower*, they drew up the *Compact*, by which they agreed to form "a civill body politick." And by virtue of this agreement, so the document went on, they proposed to make laws, and to create offices which might be needed for the good of the settlement.

Legally they had a perfect right to enter into this *Compact*, because they found themselves in a part of the British possessions where no government existed. But this was merely an agreement among themselves, not between them and the king. The *Compact* could not and did not free them from the operation of the laws of England, or from the English government. Legally they were squatters with no rights which the English government was bound to respect. They did not wish to separate completely from England, otherwise they would have picked some part of the world for their colony which was not owned by the English Crown. They were not long in realizing that their situation was so precarious as to be impossible, and in 1621 they secured a patent from the New England Council. In 1630, they got a second patent from the same organization, in order to have their territorial limits more clearly defined. This was necessary, because of the ambitious plans of the newly formed Massachusetts Bay Company.

Their first winter at Plymouth is one of the best known episodes in American history. Over half their number died, partly from exposure, partly from scurvy—due to malnutrition—partly from consumption and pneumonia. But the survivors showed good courage by refusing to go back to England. At first all the land was held in common; later, in 1623, Governor Bradford put an end to the communistic system. The Pilgrims, as they are called after their settlement here, soon found a source of profit in the fur trade, and by 1627 they were able to buy out the rights of the London merchants. Their Puritan principles did not stand in the way of a good bargain, for they cleared up the advance of £7000 by paying back £1800.

The state of mind of the Pilgrims could never be described as tolerant, even before they left England, and the hardships of the frontier intensified some of their qualities which were most in need of being softened. Shortly after they were established at Plymouth, a new settlement was started in what later became the town of Quincy, the Morton colony at Merrymount. Thomas Morton was anything but a Puritan; perhaps he resembled Jack Falstaff as much as anybody, certainly in his fondness for a good time and in his weakness for alcoholic inspiration.

The Pilgrims, or "precise Separatists" as Morton described his neighbors, accused the Merrymount settlers of selling both fire-arms and drink to the Indians, and of giving shelter to fugitive servants. According to Morton's own account, the chief cause of complaint against him was an elaborate May day celebration which he and his friends organized at Merrymount. The party was clearly not conducted in accordance with Pilgrim theories of form and dignity; there was too much evidence of singing, dancing, beer, and hard liquor for that. "This harmless mirth by younge men," as Morton termed it, "was much distasted, of the precise Separatists, that keep much adoe . . . troubling their brains more than reason would require about things that are indifferent; and from that time sought occasion" to destroy the Merrymount Colony. In 1628 the Pilgrims sent Miles Standish with his small army to Merrymount, and Morton's excessively cheerful community was brought to an abrupt end. Morton himself was shipped to England, whence he returned a few years later, to spend the rest of his days in York, Maine. In this way the Pilgrims saved themselves from the contamination of evil, and perhaps from competition in the fur trade. In any case, they were

assuming considerable power when they ventured to annihilate a colony beyond the boundaries of their own grant.

THE MASSACHUSETTS BAY COMPANY

However much importance the Plymouth Colony may have had from the dramatic and sentimental points of view, it had far less, historically, than the great Puritan colony of Massachusetts Bay. It was the Bay Colony, rather than the Plymouth, which really made New England. This settlement was due in large measure to the growing controversy between Charles I and his opponents. The determination of the king to stand his ground had been made plain during the sessions of Parliament, before the period of personal rule, so much so that from the Puritan standpoint the situation in England was becoming hopeless. Not unnaturally the dissenters began to speculate about a colony in America, where their own clergymen could preach as they pleased, and where Puritan laymen could enjoy the kind of church and government they liked.

Considerations of this nature were given a practical turn in 1628, when John Endicott and a group of Puritans secured a grant of land from the New England Council. This included all the territory between lines drawn from points three miles north of the Merrimac and three miles south of the Charles, running west to the Pacific. The first settlement was made at Salem, with a view to developing fishing and the fur trade.

In 1629 the Massachusetts Bay Company secured a charter from Charles I, by what means no one knows. The corporation thus created consisted of twenty-six members, including some nonconformists and some Anglicans. The original purpose of the Company was commercial. Then, after the charter was granted, control of the corporation passed from the hands of those who were planning a business enterprise in America into the hands of those primarily interested in religion. John Winthrop was not a member of the original corporation; he was admitted during the summer of 1629. Then in the winter of 1629–1630 the Company was reorganized, so that all the members who did not wish to go to America withdrew.

The land granted by the charter was that already conveyed to John Endicott, who was a member of the new Company. The organization was simple. There was to be a governor, a deputy governor, and eighteen assistants, chosen by the freemen from their own number.

These terms applied, originally, not to any *colony*, but merely to the *Company*. If the charter were translated into modern English, the words president, vice-president, directors, and stockholders would be substituted for those listed above. The freemen were simply members of the Company.

The official business of the Company was to be transacted in a so-called General Court, to meet four times a year, consisting of the governor, the assistants, and the freemen. This joint meeting of the stockholders and directors, for that is exactly what the original General Court was, received authority to admit new freemen, to elect the governor, deputy governor, and assistants, and "to establish all manner of wholesome and reasonable orders, lawes, statutes, and ordinances . . . not contrarie to the laws of . . . England." In addition they might create the necessary administrative offices.

When the final draft of the charter passed the seals, there was a curious but very important omission. Ordinarily every such document specified the place of meeting of the company created, but no place was named in this one. That left the Company free to meet where it pleased, and the managers decided to move both Company and charter to America. On March 29, 1630, the Company set sail, with the charter. By this very simple expedient an ordinary joint stock company was transformed into a colony, and the system provided for transacting Company business became the form of government for the colony. The London Company had remained in England, and from there governed Virginia as a subsidiary enterprise. In the case of the Massachusetts Bay Company, the Company itself went to the colony, and governed it on the ground.

THE BAY COLONY

The first group of settlers, over nine hundred in number, including the Company, went first to Salem and then to Boston. In the course of 1630 about two thousand more came over. The leading laymen, like John Winthrop, the governor, and others were "gentlemen." The clergy were all Puritans. The rank and file of the settlers were small merchants, farmers, and artisans, some of whom left England because of hard times, some because of persecution. The great majority were men of humble birth. It is rather interesting to find that hardly a fifth of the Massachusetts settlers were professed Christians.

The government which the Company set up in Massachusetts was at first an out and out oligarchy, or a "theocracy", as someone described it. John Winthrop himself was no liberal, and neither he nor his associates had the remotest intention of setting up a republic. The attitude of this close corporation was well expressed by Winthrop himself, in discussing the unwisdom of referring important questions "to the body of the people, because the best part is always the least, and of that best part the wiser part is always the lesser." In the original group of over nine hundred colonists, there were only twelve freemen all told, and even by the autumn, when the number of settlers had more than doubled, the number of freemen still remained the same. These twelve men, with Winthrop at their head, had full legal authority to "correct, govern, punish, pardon, and rule" [1] the whole body of colonists. During that time the General Court consisted of those twelve men, and no others. The colonists had no voice in the election of the freemen, no way of limiting their authority, and no way of making laws for themselves. They were just as much under the arbitrary will of the Company as the settlers in Virginia had been under the London Company. The mere fact that the Company resided in the colony did not make its rule any less absolute.

The Company of Massachusetts Bay was no more tolerant in religion than it was in government. The settlement was a Puritan commonwealth. Settlers of all kinds were welcome, provided they would accept the system, and keep quiet. Theological disputes were kept down to a minimum, by the very simple expedient of banishing or deporting the heretics. The Puritans had come over to secure not toleration, but freedom for the exercise of their own religion.

During the twenty-seven years which preceded the founding of the Bay Colony, criticism of the arbitrary Stuart policy had steadily increased in volume. Men who were interested in governmental affairs, especially if they were on the outside, trying to get in, could not help forming opinions distinctly unfavorable to theories of absolutism. It was of course impossible to keep these ideas out of Massachusetts, and consequently the colony received a number of severely logical individuals, who could see little difference between the underlying philosophy of John Winthrop and that of Charles Stuart. Sooner or later, the Winthrop system was sure to encounter criticism

[1] Channing, *History of the United States*, I, 340.

and opposition, and eventually the Puritan leaders had to decide whether they would emulate the king, or admit the dissatisfied to share in the government.

The first effort to liberalize the government came in October, 1630, before the colony was a year old. One hundred and nine settlers raised the whole issue by asking to be made freemen, that is, admitted to membership in the Company. The request was peculiarly embarrassing to Winthrop and his associate rulers. If it should be granted, there was no telling how soon their authority would be transferred to others. On the other hand, if they refused to grant it, they knew that some of the settlers would go elsewhere, and they needed colonists.

The way out of the dilemma which Winthrop discovered showed clearly that life in the New World had not dulled Puritan wits. The hundred and nine were admitted as freemen, but Winthrop informed them that the freemen enjoyed no power except the right to elect the assistants. The new freemen had never seen the charter, and Winthrop took care that they did not see it for four years; during this time they did not know that the governor was guilty of a flagrant violation of their rights under the charter.

The next difficulty arose in 1632, when certain residents of the settlement at Watertown objected to being taxed by the assistants. This was perfectly good anti-Stuart doctrine, but the objectors got little for their pains. In 1634, however, the freemen mustered up sufficient courage to demand a sight of the charter; then they learned, for the first time, how they had been deprived of their rights for four full years. This time the ruling powers had to surrender. From then on, arrangements were made for four meetings of the General Court each year. The first, at which all the freemen were to be present in a body, was to elect the governor, deputy governor, and assistants. The other three were to be representative, and at these, general legislative business was to be transacted. This arrangement necessitated the development of a representative system, whereby each town was authorized to send two freemen to the legislature. For the first few years the representatives met with the assistants, but in 1644 a two-chambered legislature was provided for.

All these changes meant a more general participation in political affairs, but the number of freemen necessarily remained small. The freemen constituted a close corporation, and they themselves fixed

the qualifications for membership in their own select circle. Under the charter, strictly interpreted as it always was, violated outright as it could be and was for years at a time, there was not very much room for democracy. The right to vote was strictly limited to church members, and approved church members at that.

It is not surprising that affairs in this Puritan theocracy should have attracted the attention of the government in England. The Plymouth Colony had been left alone, because it had made itself neither conspicuous nor troublesome. The Bay Colony challenged investigation.

Among those who demanded an inquiry into the affairs of Massachusetts was Sir Ferdinando Gorges, who insisted that the Bay Colony charter was a direct violation of his own proprietary rights. He suggested that the charter be brought before the Privy Council. Partly as a result of his complaints, in 1634 the Privy Council appointed a commission, with Archbishop Laud at the head, to check further Puritan emigration, and to revoke charters "surreptitiously and unduly obtained." This same commission was likewise authorized to make laws for the government of the English colonies, to remove colonial governors, and to hear and decide complaints from the colonies.

In 1635, the commission secured a writ of *quo warranto* against the Massachusetts Bay Company, but because of the growing trouble in England the writ was never served. There is little doubt that the approach of the Civil War in England saved the life of the Massachusetts Bay Company. It was not until after 1660 that the Privy Council was able to turn its attention once more to Massachusetts, and, during that long interval, the foundations of the Puritan Commonwealth were solidly laid.

Perhaps the most striking difference between Massachusetts and Virginia was in the land system. In the southern colony, because of the peculiar requirements of tobacco culture, the large plantation had become the rule. In Massachusetts, and in New England generally, the agricultural unit was the small farm. And, when the Massachusetts Company made land grants, it generally made them not to individuals, but to groups. A number of more or less congenial people would agree to try their fortunes somewhere outside of Boston. They would get a grant of land, and then, as a community, they would distribute it to the individual members of the group. The

customs governing this distribution were taken over from the medieval villages in England. Instead of getting his land in a single parcel, each individual received a share of the various kinds of land available. Thus each member of the new village had a tract of meadow land, a tract of upland pasture, and a wood lot. Because of these scattered holdings, it seemed easier to build all the houses near together, generally around a piece of common land, or "green." In this manner many new towns were started, each one organized in about the same way, and each one with the same general characteristics. Every grantee owned his land outright, free from quitrents, or any dues beyond the taxes voted in town meeting. These groups of free proprietors met to transact town affairs, and so got considerable training in matters of government. The towns constituted a natural unit for local government, and while the county system was introduced, it never played the important part that it did in Virginia.

The ecclesiastical system was founded on the Congregational Church, with each congregation independent of any other, but with all under the control of the General Court. Church and state, as well as Church and town, were so intimately bound up that the lines separating these institutions are hard to find.

The New Englanders were as different from the Virginians in temperament as in their land system and local government. Not all the settlers were Puritans, by any means, but the Puritan character permeated the whole population. There was during the first generation of New England, less color and less geniality than could be found among the planters in the southern colony. On the other hand, in the small towns there was far more room for the development of a genuine democracy than there was in Virginia, with its large proportion of white indented servants and negro slaves.

CHAPTER V

THE EXPANSION OF NEW ENGLAND

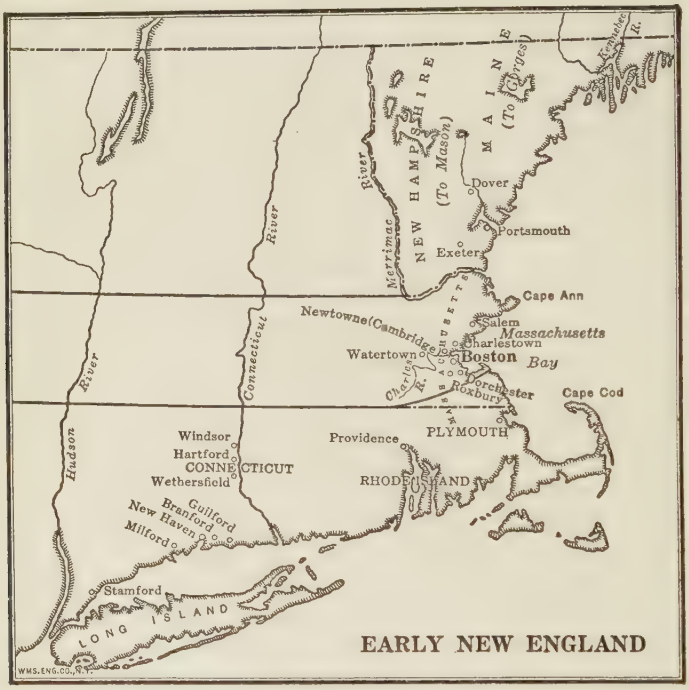
The greatest force in American history can be seen at a glance on any seventeenth century map of the new world. The settlements were all made on the edge of a vast area of virtually unoccupied land. As a consequence, the opportunity for expansion was really without parallel, and, down to 1890 at least, there was almost continuous movement away from the older communities toward the more promising frontier. The gradual occupation of this land is the foundation of American history.

As the frontier was pushed steadily westward, the same story was repeated time and time again during the seventeenth, eighteenth, and nineteenth centuries. Men who were displeased with the government, with economic or social conditions, or men who were simply restless found new places waiting for them, in which they could have a hand in framing the social structure. Along with the merely restless and the genuinely ambitious went the debtors, who were trying to get away from their creditors, and the criminals, who were trying to find a land without sheriffs. This westward movement began almost at once. In Virginia, settlers were pushing up into the Piedmont long before the end of the seventeenth century, while in New England barely six years had passed when the first settlements were made in the Connecticut valley.

ROGER WILLIAMS

Both Plymouth and the Massachusetts Bay Colony sent out offshoots from the first settlements in the very beginning, but no new colony was started until Roger Williams went to Providence, in the winter of 1635 and 1636. The Rhode Island enterprise was distinctly the product of discontent in and with Massachusetts Bay. Roger Williams was an independent in religion, somewhat outspoken in his criticisms of the established order in church and state. In addition to finding fault with the Puritan church, he questioned the validity of the land grants in Massachusetts, on the ground that the king had

no right to dispose of the land of the Indians without their consent. This sort of philosophy was naturally not popular in a primarily agricultural community. Because he was too free in voicing his opinions, he was ordered out of the province.



Once out of Massachusetts, Williams bought land enough for himself and his followers from the Indians who were living near Narragansett Bay. As a matter of fact, the title which he got was absolutely worthless. It had no validity under English law, and almost none under Indian custom. The Indians owned their land in common, and the few who sold to Williams, even if they were fully aware of what they were doing, had no right to alienate land belonging to the tribe. Legally, therefore, Williams and his friends were squatters.

The arrangements regarding religion in Providence were considerably more modern than in Massachusetts. There was no established church, and consequently no compulsory attendance, and no forced

contributions for church support. Roger Williams had so much confidence in his convictions that he worked them out in practice.

For government, the settlers drew up a compact, similar to the Plymouth Compact of 1620. Thus Williams felt himself safely away from Massachusetts, and easy both in conscience and in mind.

ANNE HUTCHINSON

The second of the Rhode Island settlements, the Portsmouth colony on Rhode Island proper, was started by another heretic and refugee from Massachusetts. One of the most conspicuous of the early radicals in Massachusetts was Mrs. Anne Hutchinson. She objected to the theology expounded in the Boston church, and to the government instituted by John Winthrop. Her criticism was not merely negative, and therein lay her offense. She evolved a religious system of her own, based upon direct divine revelation, so she said. Now to have any one question the soundness of Puritan government and Puritan theology was bad enough, but to have a woman lay claim to divine inspiration was the sin against the Holy Ghost. Any critic of any established order can always get a following, and some of Mrs. Hutchinson's admirers were among the most prominent in the colony. Something had to be done, so she was placed on trial before the General Court, with Governor Winthrop presiding.

At the trial, which was the completest farce, the defendant had not the slightest chance of even a fair hearing. Her case was settled beforehand. The Court emphasized "the troublesomeness of her spirit, and the danger of her course amongst us, which is not to be suffered," and decreed that she should be banished, and imprisoned until she could be sent away.

Banishment from the colony was followed by excommunication from the church. This second sentence was pronounced by the Reverend John Wilson, whom Mrs. Hutchinson had gravely offended. Whenever he rose to preach, she ostentatiously marched out of church, followed by her band of enthusiastic admirers. As a commentary on the Puritan state of mind, Wilson's words are unsurpassed.

"Forasmuch as you, Mrs. Hutchinson, have highly transgressed and offended and forasmuch as you have so many ways troubled the church with your errors and have drawn away many a poor soul, and have upheld your revelations; and forasmuch as you have made a lie, etc. Therefore in the name of

our Lord Jesus Christ and in the name of the Church I do not only pronounce you worthy to be cast out, but I do cast you out and in the name of Christ I do deliver you up to Satan, that you may learn no more to blaspheme, to seduce, and to lie, and I do account you from this time forth to be a Heathen and a Publican and so to be held of all the brethren and sisters of this congregation and of all others; therefore I command you in the name of Christ Jesus and of his Church as a Leper to withdraw yourself out of the Congregation; that as formerly you have despised and contemned the Holy Ordinances of God, and turned your back on them, so may you now have no part in them nor benefit by them." [1]

These early settlers in Massachusetts were robust in convictions and in spirit if not always in body, and it is not strange that clashes between the authorities and the malcontents were characterized by hard, biting cruelty. But the New England Puritans were not the only ones who unconsciously substituted controversial theology for Christianity in dealing with their fellow men. Good precedents for that can be found at all times, all over Europe, and the habit has not yet entirely disappeared.

A third settlement in Rhode Island was started in 1639, at Newport, and a fourth in 1643, at Warwick. Samuel Gorton, the founder of this colony, was a notorious heretic and an outspoken reformer. After a brief sojourn in a number of towns in Massachusetts, he betook himself to Providence, only to be banished from that place of refuge for the unadaptable. No system would suit him but one of his own making, and it may be that only sheer weariness of spirit made him stay in his own colony.

With such antecedents, these four little colonies could hardly be expected to display a spirit of coöperation, and for more than one century "separatism" was the sign that marked the true Rhode Islander. And yet the very strength of circumstances forced them into some sort of working union. In 1643 Roger Williams secured a "patent" for the first three towns, possibly as a means of protection against the impending New England Confederation. By this document the settlers were given the rights of self-government, provided that they kept their laws in harmony with those of England. In 1647 Warwick, the Gorton colony, was admitted, and a systematic form of government was worked out. The plan provided for a president, a board of four assistants, and an elective assembly. But

[1] Channing, *History of the United States*, I, 376.

the Rhode Islanders would not delegate too much power to their own chosen representatives. In order to safeguard their "rights" they instituted an interesting form of initiative and referendum. The voters of any one town could propose laws, which the legislature might accept or reject, while each town had full power to accept or reject any act of the legislature. Suspicion of a central government therefore developed early in America, and it was by no means confined to any one section.

The Williams patent answered the purpose of a fundamental law until something more substantial could be secured. In 1663, after the trouble between Cavaliers and Roundheads had been settled in England, the Colony of Rhode Island secured a formal charter. This document, like several others of a similar nature, is an interesting commentary on the theories and philosophy of the king who granted it, Charles II. It guaranteed religious freedom, something which Charles had suggested for England in his Declaration of Breda, but something which Parliament had refused to grant. "All and every person and persons," so reads the charter, "may . . . freely and fully have and enjoy his and their own judgments and consciences, in matters of religious concernments, throughout the tract of land hereafter mentioned."

Furthermore, this same Charles II, customarily depicted as a clever, scheming, underhand absolutist in England, confirmed the Rhode Island principle of representative government. The voters were authorized to elect a governor, deputy governor, and ten assistants. Likewise they elected a general assembly, consisting of six representatives from Newport, four each from Providence, Portsmouth, and Warwick, plus two from each additional town. Thus the United Colony of Rhode Island and Providence Plantations was solidly established, and except for three years, the charter granted by Charles II remained the fundamental law of Rhode Island until 1842.

CONNECTICUT

While the Rhode Island dissenters and separatists were learning some of the essentials of coöperation, other groups of settlers were moving into the fertile Connecticut Valley. These ventures were, if possible, more typical of the normal westward drift of the Americans than the Providence and Warwick experiments. The leaders, Thomas Hooker and John Haynes, found scant room for the display of their

abilities in a community ruled by John Winthrop and John Wilson. Furthermore, they needed, so they said, better and more abundant pasturage for their cattle. But above everything else was the lure of greater opportunity in the West, the imperious call of the empty frontier. For two full centuries after all these Connecticut settlers were dead succeeding generations of Americans continued to respond, eagerly and enthusiastically, to the very same call.

In 1636 men from Cambridge, Dorchester, and Watertown moved out beyond the bounds of Massachusetts and settled the river towns: Hartford, Wethersfield, and Windsor, while Roxbury pioneers were settling at Springfield, in Massachusetts. This significant advance was observed with wrath by the Dutch, who had already established fur trading posts in the same section, and with apprehension by the Indians, who were not slow to realize the meaning which these new colonies had for them. After the Puritan manner, the freemen in the river towns organized a representative government, similar in its main outlines to those in Massachusetts and Rhode Island.

NEW HAVEN

In 1638, another group of Puritans from England, led by John Davenport and Theophilus Eaton, set up their "Bible Commonwealth" at New Haven. In this model settlement the Scriptures were to be the guide for individuals and for the government, and only church members were allowed to vote. The voters proceeded to select seven godly men to rule over them. In true American fashion New Haven sent out offshoots, of which Milford and Guilford were among the earliest. With this expansion, a representative assembly became necessary, and one was duly created.

Eventually, in 1662, the Connecticut colony secured a charter, which provided for the union of the two groups of settlements under a single government. This charter continued the representative system, and because it was quite satisfactory, it lasted until 1818.

Still other settlements were started, in New Hampshire, which was generally controlled by Massachusetts until after 1700, and in Maine, which was a part of Massachusetts until 1820.

THE NEW ENGLAND CONFEDERATION

The processes by which the Rhode Island and Connecticut settlements were evolved, expansion and fusion, are typical of American

history. And, if individual towns found it wise to unite, to promote the general welfare, it was equally desirable to bring about further coöperation by combining the governments themselves into a still larger union. Connecticut especially was awake to the dangers of her isolated situation and to the need of support. The river towns, frontier outposts in New England, were in the very heart of the Indian territory, and the attitude of the Indians was becoming daily more menacing. Also, the Dutch had never recognized the right of the Puritans to settle near their fur trading posts, and the Connecticut people knew that only lack of power prevented the Dutch from driving them out. Finally, the French from Quebec and Montreal, who found it convenient to use the Connecticut River, were not at all pleased at the prospect of English farms along one of their main highways.

If the logic of events pointed toward confederation, so too did the common interests and ideals, especially of Massachusetts, Connecticut, and Plymouth. Connecticut, as the colony most in need of help, made the first suggestion of union as early as 1637, and undiscouraged by the indifference of her neighbors, she renewed her proposals in 1638, 1639, and 1642.

By 1642 the somewhat haughty government of Massachusetts Bay had become more receptive. From various quarters reports were current concerning an impending Indian uprising. Conditions in England too made coöperation necessary in New England. If the threatened war between the king and the Parliamentarians should really come, it might spread to America, and the Puritans needed to be prepared. No matter which way the war should result, a confederation would have its advantages. If they should be left to their own devices, they wanted to be able to use their power effectively and wisely. On the other hand, if the king should be successful they would need to organize for defense.

In 1643, commissioners from Plymouth, New Haven, and Connecticut met with a committee of the General Court in Boston, for the purpose of working out a formal basis for federation. Difficulties in the way were numerous, such as local jealousy and local pride, but these were compromised, and an agreement was finally signed. The Confederation included the four colonies which took part in the conference at Boston, and only those. Maine was left out, because of its heretical and democratic tendencies. Rhode Island tried to

join, both in 1644 and again in 1648, but admission was refused unless the Rhode Islanders would acknowledge the jurisdiction of either Massachusetts or Plymouth. This, at least, was the reason alleged for rejecting the Rhode Island petitions. Perhaps the real reason is to be found in the supreme contempt of the authorities in Massachusetts for their neighbors. "Concerning the Islanders," wrote Winthrop, "we have no conversing with them, nor desire to have, further than necessity or humanity may require." And, when he was compelled to contaminate his pen by referring to them, he described their colony sometimes as a "sink," sometimes as a "sewer."

The Articles of Confederation, twelve in number, bound the four colonies together under the name of "The United Colonies of New England." Under the Articles, each colony was left in control of its own local affairs; but common interests were to be guided by a central board of eight commissioners, who were empowered to decide upon all questions of war and peace, to fix the respective contributions in men and money, and to pass upon applications of other colonies for admission to the Confederation. Six members of the board constituted a quorum. So the four members were all on the same level as regards influence, in spite of the fact that the Bay Colony had a population of fifteen thousand, while the others had not over three thousand each. Again, Massachusetts agreed to furnish one hundred men, for military purposes, for every forty-five furnished by each of the others. Only one concession was made to the largest and wealthiest of the four members: that two meetings out of every five should be held in Boston, an empty honor, when Massachusetts could be bound by the action of the three smaller members.

In case any member should violate the Articles, or should injure another member, the question was to be referred to a court of arbitration, consisting of the members of the Board from the colonies which were not parties to the dispute.

It is significant that the Articles contain no reference to the English government. The dominant part of New England had really taken its affairs into its own hands, regardless of King or Parliament. And when some of the English authorities criticized the New England governments for forming the Confederation, their agent, Winslow, had ready an unanswerable argument. "If we in America should forbear to unite for offence and defence against a common enemy till

we have leave from England, our throats might be all cut before our messenger would be half seas through."

During the troublous times of the Civil War and the Commonwealth, Massachusetts took the lead in ignoring English authority. In 1644 the General Court voted to inflict punishment upon any one who should attempt to raise troops for the king. And the Bay Colony was just as ready to flaunt the power of Parliament as that of the Stuarts. In 1651 Parliament suggested that the Massachusetts Charter be surrendered, in return for a new one, properly issued by the new government. The only reply ever made was that the men of Massachusetts were quite content to live under a governor and magistrates of their own choosing, and under laws of their own making. Further proof, if any were needed, of the independent attitude of the colony came in 1653, when the authorities in Massachusetts refused to permit any public proclamation of the elevation of Cromwell to the office of Lord Protector. And there is no reason to doubt that the smaller colonies took their cue from their more imposing neighbor. As Professor Andrews once put it, in New England "neither statute nor code during the first half century made any reference to any sovereign other than God."

The Confederation handled such matters as relations with the Indians, and with the Dutch, along with boundary and tariff disputes among the members themselves. During the period of King Philip's War, its work was decidedly important. But the Articles had been in force less than ten years when the first serious manifestations of weakness occurred. In 1652, against the wish and in spite of the opposition of Massachusetts, the Commissioners voted for war against the Dutch. Then the Bay Colony refused to provide any forces for the campaign, and the minor members had no way of coercing their recalcitrant neighbor. This breakdown in the functioning of the Confederation could never be repaired, and although the commissioners continued to meet regularly until 1684, they accomplished little.

After the Restoration in England, the Confederation was weakened still more by the consolidation of two of the members, Connecticut and New Haven. Moreover, Charles II was not at all unwilling to show favors to Rhode Island and Connecticut, in order to offset the growing power of Massachusetts, and these two colonies in turn were ready to assist in the process of humbling the haughty Puritan stronghold.

Although the Confederation was only a partial success, its history cannot be overlooked, because it epitomizes so much of American growth. All the forces which were destined to create the United States were present and at work in connection with the Confederation. Expansion, the sense of need of common action, compromise, and a written agreement to work together were all typical of the later stages of American development. So too were the differences among the members, and the tendency, sometimes revealed, for one member to go its own way regardless of the others.

CHAPTER VI

ENGLISH COLONIZATION AFTER 1660

Any list of the builders of the United States, of the men whose solid, constructive work contributed greatly to the development of the growing nation, should include and give an important place to the name of Charles II. His colonial interests were wide and varied. In addition to granting liberal charters to two of the New England colonies, he was actively interested in promoting new enterprises in the unsettled regions along the Atlantic coast, thereby linking the English colonies together. His work was an essential preliminary to any plan of union in British North America. To be sure Charles was noted for his decidedly unpuritanical temperament, and for his pleasure-loving propensities, and, as so often happens, his escapades attracted far more attention than his efforts as an empire builder. But this tendency to criticize his morals and to ignore his statesmanship is perhaps a commentary on human nature, rather than a complete estimation of the abilities of the man.

When the Stuarts and their Cavalier friends returned to England after their exile in Scotland and France, their most pressing need, both as individuals, and as a class, was to restore their wrecked fortunes. Eager as they were to fill their own pockets, they were equally alert to find revenue for the public treasure. This responsibility fell upon the king, who was still the head of the executive department. Parliament might restrict him in his plans for taxation, and in his expenditures, but Parliament had not at that time taken full charge of government finance.

The most promising source of wealth was the new world. Englishmen knew something of the profits in tobacco, and in the fur trade, and to their minds there was no reason why other economic interests should not be developed. Moreover, the colonies, or rather the land where colonies might be planted, belonged to the king, so that Parliament, which had already upset some of the royal plans for England, could not interfere. Thus it happened that both Charles II and his brother James, the Duke of York, turned their enthusiastic attention

to building up new colonies, and to reorganizing some of those already established. Associated with the Stuart brothers in this work were Clarendon, the king's devoted follower and minister, noted for his History—and for the sound moral advice which he wasted upon his master—and Anthony Ashley Cooper, the Earl of Shaftesbury, one of the founders of the Whig party. John Locke, the philosopher, also helped to establish colonies, which were destined in time to use his own philosophy to justify their fight for independence. Less famous perhaps, but equally interested, were Carteret and Berkeley, who were concerned in both Carolina and New Jersey. Likewise there was the king's cousin, Prince Rupert, the brilliant cavalry leader of the Cavaliers.

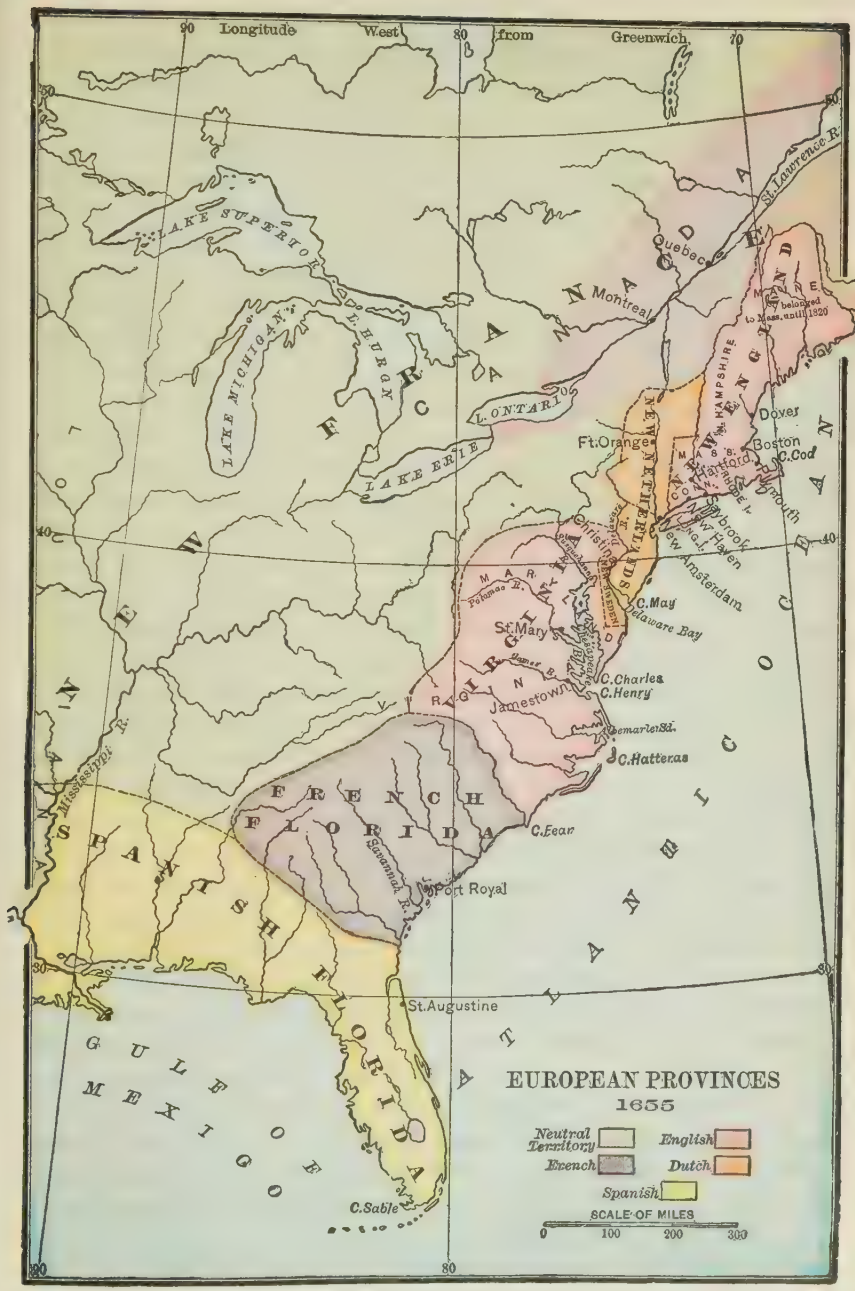
The principle on which these promoters worked was simple. Through the development of the commercial possibilities in various new regions they could make their own fortunes, and at the same time, by imposing tariff duties on the very same commerce, the government could provide itself with revenue.

No one would deny that there was ample room for colonial speculation in the new world. In 1660 the English colonies included New England in the North, plus Maryland and Virginia in the South, with a wide gap between. But this intervening space was not empty; part of it, that on Manhattan Island and some of the interior had already been settled by the Dutch. In the West Indies Cromwell had secured Jamaica, and the British were already in possession of Barbadoes and the Bermudas. But these colonies were so widely scattered that the mere thought of union on a large scale would have been impossible. It fell to Charles II and his associates, therefore, to fill in the gaps, and to consolidate English control along the Atlantic seaboard by driving out the Dutch.

CAROLINA

The first venture of the Restoration speculators was in the region south of Virginia, called Carolina, in honor of the chief patron of the enterprise. The king granted the area to a group of proprietors, including Clarendon, Shaftesbury, Berkeley, and Carteret, all conspicuous leaders in the Restoration government. Their aim was to make the Carolinas and the Bahamas centers of trade in semi-tropical products, such as almonds, silk, and wine.

There were two charters granted, one in 1663, and another in 1665,


Longitude West from Greenwich
90
80
70
60
50
40
30
20
LAKE SUPERIOR
LAKE MICHIGAN
LAKE HURON
LAKE ONTARIO
LAKE ERIE
NEW FRANCE
CANADA
Quebec
Montreal
St. Lawrence R.
NEW ENGLAND
MAINE
(belonged to Mass. until 1820)
NEW HAMPSHIRE
Dover
Boston
C. Cod
Portsmouth
Hartford
Connecticut R.
Saybrook
New Haven
NEW NETHERLANDS
Ft. Orange
New Amsterdam
Delaware R.
C. May
Delaware Bay
NEW SWEDEN
Christina
Elsingburg
MARYLAND
Potomac R.
St. Mary
VIRGINIA
James R.
Jamestown
C. Charles
C. Henry
Albemarle Sd.
C. Hatteras
Mississippi R.
FRENCH FLORIDA
C. Fear
Savannah R.
Port Royal
SPANISH FLORIDA
St. Augustine
C. Sable
GULF OF MEXICO
ATLANTIC OCEAN
EUROPEAN PROVINCES
1655
Neutral Territory
English
French
Dutch
Spanish
SCALE OF MILES
0
100
200
300

although the second charter did little beyond enabling the proprietors to incorporate in their colony the offshoots from Virginia in the Albemarle district of North Carolina.

The charter provided for a government under the direction of the proprietors, with the assistance of a representative assembly. Likewise, as in the case of Rhode Island and Connecticut, it contained a guarantee of religious toleration, provided that the people who enjoyed these "indulgences and dispensations" should declare their loyalty to the king, and should "not in any wise disturb the peace and safety . . . or scandalize or reproach" the Church of England or its adherents.

The first settlements were those already made, before the charter was granted. These had been started by emigrants from Virginia, in temperament and spirit not unlike many of the Rhode Islanders. They were a quarrelsome, rebellious lot, unable to get along with each other or anybody else. Having left Virginia to escape the restrictions of that colony, they did not take very kindly to the regulations of the Carolina proprietors.

The South Carolina enterprise had an unpromising start. Settled in 1670, two years later it could boast only four hundred inhabitants. The failure to develop was not due to any lack of effort on the part of the promoters. Both Shaftesbury and Locke worked hard to build up the enterprise, but they could not overcome the odds against them. The land system, which had too many traces of medieval feudalism in it to suit pioneers, discouraged settlers from coming in. Moreover, the proprietors had about the same experiences with their plans for the colony that the London Company had had in Virginia. The crops which had been depended upon to bring prosperity would not grow, and it took time to find out what could be produced with profit. The South Carolina farmers raised food, for export to the West Indies, and incidentally to supply the pirates, who were flourishing in those days, but there was no real prosperity until rice culture was undertaken in the eighteenth century.

The system of proprietary control lasted until 1719; then, after ten years of confusion, the Crown purchased a seven-eighths interest in the Carolina title, and proceeded to organize two royal colonies, North and South Carolina.

NEW YORK

Of all the Restoration colonial projects perhaps the seizure of New Netherlands was the most important, both for strategic and for economic reasons. The original settlement, on Manhattan Island, was made by the Dutch, and their title was based partly on purchase, and partly on priority of occupation. But the English government claimed the whole continent of North America, by virtue of John Cabot's discovery in 1497. To be sure neither the Spaniards, who were in Florida, nor the French who were in Canada, had paid any attention to this claim, and the Dutch had as much right as the others to settle where they pleased. But in those days the clearest title of all was neither priority of occupation nor priority of discovery, but force, and from that point of view the English claim was not open to serious dispute.

These Dutch settlements in North America were peculiarly valuable. New Amsterdam had the best harbor on the Atlantic coast, while the Hudson and Mohawk Rivers constituted one of the few comparatively easy roads into the interior, to the fur-trading country. The French had the best one, the route of the St. Lawrence and the lakes, so the possession of the next best was an important matter.

In 1664, the king granted the whole territory of the Dutch in North America to his brother, and changed its name to New York. As an excuse for the seizure, the king alleged that the Dutch were carrying Virginia tobacco to continental ports, and so interfering with the proper regulation of the tobacco trade. Unfortunately for the Dutch, the charge was true. But the real reason for the grant was the desire to eliminate the Dutch, and to interrupt their trade. After a short war, in 1667 the Dutch surrendered their claim. They resumed possession in 1673, but in the following year they finally surrendered both land and title to the English.

Violation of the "rights of a small nation," as this high-handed occupation was, and morally indefensible as it may have been, from the American point of view it was the best thing that could have happened. As long as the Dutch held the Hudson River, union of the British colonies was out of the question. This removal of the Dutch obstacle to expansion and union was second in importance only to the removal of the French obstacle a hundred years later.

For the government of the new colony James proclaimed what

were known as "the Duke's laws," a code based upon laws already in operation in Massachusetts and New Haven. In 1683, provision was made for a legislature, similar to those in the other colonies. But when James became king, this was abolished. In 1691, it was reëstablished on a permanent basis.

Unlike the Carolinas, New York grew rapidly. The Dutch had already established connections with the fur trade, and this interest was duly promoted by the new rulers. In addition, the colony raised provisions for export, and New York quickly became one of the leading commercial centers in British North America.

In 1664, the Duke of York ceded a part of his grant, the territory later called New Jersey, to two of the Carolina proprietors, Berkeley and Carteret. Even before the grant was made, there were a number of English settlers already located there, in addition to the Dutch, who had claimed it as a part of the New Netherlands. In the southern part there were a number of Swedish colonists. The population in both New York and New Jersey was distinctly more cosmopolitan than in Virginia or New England.

The history of the Jersey settlements is too complicated to be told here. English Quakers became interested in the province, even before William Penn secured his grant in Pennsylvania, and in 1674 Berkeley sold out his share to a group of Quakers. After a good many vicissitudes, the two parts of the territory, east and west, were united to form the royal province of New Jersey (1702).

The interests of the Restoration leaders were not confined to these three territories within the limits of the later United States. In 1670 Charles II granted the Bahamas to the Duke of Albermarle and other proprietors, who were all directly or indirectly interested in the Carolina experiment.

But the enterprise that most clearly reveals the bold imagination of these noble adventurers was the establishment of the Hudson Bay Company. Some French fur traders had learned from the Indians of an easy route from Lake Superior to Hudson Bay. This discovery promised easy access into the very heart of the fur trading country, so that the possessors of it would be freed from the restrictions imposed by the French government in Canada. It so happened that the Frenchmen who learned of this route were not financially able to take advantage of its possibilities; moreover, they had become involved in difficulties with some of the officials of New France, and

with some of the Jesuit missionaries. In their search for assistance they tried first to arouse the interest of some Boston merchants, and when these failed to grasp the opportunities they turned to Paris. After another refusal there, they turned to Charles II of England. The King was particularly interested in the proposal, partly because he saw here a chance to reward Prince Rupert, who thus far had been overlooked or left out in the distribution of colonial favors. In 1670 the King chartered the Hudson Bay Company with Prince Rupert as its first governor. The close connection of this new venture with the others is revealed in the membership of the company. On those rolls appear the same names which are found in the Carolina grant.

CHARLES II

Although Charles II did not personally act as proprietor in any one of these colonies, he left an enduring mark upon them and upon several others. Both in quantity and in quality his influence upon America stands high. Ample evidence of the quantity is to be found in the range of his interests, which extended from Hudson Bay to the Bermudas. As for quality, in the continental colonies which he chartered, the principles of representative government and religious toleration were specifically provided for, and he did more in weaving them into the fabric of American life than did the majority of colonial promoters. Even in Massachusetts, where he finally ordered the abrogation of the original charter, he took that action partly on the ground that the authorities there had repeatedly refused his recommendations to broaden the franchise and to grant toleration. Charles II was infinitely more liberal than any of the school of John Winthrop. Because of the apparent inconsistency in the King's English and American polities, the suggestion has been made that in granting the charters, he was not aware of what he was doing. But he was always thoroughly alive to what he was doing in England. It is therefore hardly reasonable to assume that all of his decisions with reference to America were made when he was intoxicated.

The key to Charles II's colonial policy is to be found, not in his moments of drunkenness, but in a juxtaposition of both his English and his American measures. In his Declaration of Breda, he proclaimed a doctrine of liberalism far beyond anything his Cavalier Parliament would approve. His hopes of granting religious toleration in England were blocked first by the Clarendon Code, and, after his

ill-fated Declaration of Indulgence, by the Test Act. In England, Parliament could force him into a path contrary to his desires, but in America he could plot his own course. There he granted that toleration which Parliament had made impossible in England, and at the same time he provided for representative government.

In following this liberal bent, the king went directly against the recommendations of his advisers. In 1661, the Council for Foreign Plantations urged him to take the management of all the existing proprietary governments into his own hands, and to create no new ones in the future. Instead of following the suggestion, between 1660 and 1670 Charles granted six new charters, in addition to the one for the Hudson Bay Company.

PENNSYLVANIA

Although the colony of Pennsylvania was not a product of the group of Restoration colonizers whose work has just been discussed, it was founded by an intimate friend of many members of the Court circle. Moreover, the terms of the charter were very carefully drawn, and in this document is to be found an analysis of what might be called the colonial experience of Charles II. It contains the same provisions for representative government, and for religious toleration, but it also contains a number of regulations, designed to tie the colony closely to the empire, and to prevent its authorities from ignoring English supremacy. Because of the independent attitude of Massachusetts, the new colony had to be placed under restrictions. These limitations, however, were designed, not so much to affect the individual colonist as to safeguard the principle of English commercial control. Penn's charter shows how the new system of regulation was being worked out.

The story of Admiral Penn's sacrifices in behalf of the Stuarts is well known; so likewise is the story of William Penn's adoption of the Quaker faith. His conversion to that despised sect made him temporarily a social outcast. The Quakers in general were not only not recognized in polite society, they were both despised and hated by almost every man who considered himself a gentleman. In the face of all this, William Penn succeeded in retaining the respect of his friends. He had for some time been interested in the theoretical aspects of government, and not unnaturally these speculations became bound up with a desire to help his fellow Quakers. The

indebtedness of Charles II to Admiral Penn enabled the young Quaker to put his theories into practice.

In 1680, William Penn asked for a grant of land in America, not in settlement of the debt, but merely in consideration of the circumstances in which the debt had placed him. The charter was finally granted in March 1681.

In the earlier charters almost no provisions had been inserted for the purpose of providing for supervision, by British authorities, of the proceedings of the colonial officials. In fact the only restriction had been the requirement that colonial laws be not inconsistent with the laws of England, and even this requirement was left without any provision for its enforcement. As a result some of the colonies, notably Massachusetts, had attended to their affairs as they pleased, regardless of the wishes or the interests of England. As the system of commercial regulations was gradually extended, it became more and more difficult to secure due observance when the majority of local officials were not responsible to the Crown. The Pennsylvania charter was framed to meet these problems.

Among other things the charter required the proprietor to keep a resident agent of the colony in London, ready to answer queries or complaints concerning the non-observance of the laws of trade. This agent was required to pay within a year any damages awarded by the courts. Failure to do so would give the Crown full right to annul the charter, and to take over the government of the colony. All Pennsylvania laws had to be submitted to the Privy Council and that body could disallow them any time within six months after they arrived. Furthermore, the charter reserved to Parliament the right to levy taxes in Pennsylvania.

Penn and his heirs received the necessary authority to make laws, with the consent of the freemen, or their deputies meeting in a representative assembly. But the proprietor was empowered to issue ordinances without the consent of the freemen, in case it should be inexpedient to call the representatives together. Fortunately perhaps for the colony, the first proprietor was not the man to push this privilege to extremes.

William Penn planned to interpret his charter as liberally as possible, and at the very beginning he promised prospective colonists that they should live under laws of their own making. He felt that the matter of institutions was not of primary importance. For, as he wrote:

"Any government is free to the people under it, whatever be the frame, where the laws rule and the people are a party to those laws, and more than this is tyranny, oligarchy, or confusion. . . . Let men be good and the government cannot be bad; if it be ill they will cure it. But if men be bad, let the government be ever so good, they will endeavor to warp and spoil it to their own turn."

In 1682 he worked out a form of government for his colony, similar in its main outlines to those in force elsewhere in America. The following year, the assembly drew up a new one of its own and adopted it. Penn philosophically let them do it their way, realizing that there was very little difference between the new form and his own.

The new colony was well advertised, and its prospective advantages were soon known all over Western Europe. By 1685 there were over eight thousand settlers in Pennsylvania, a motley collection, including Swedes, Danes, Finns, Dutch, Germans, Welsh, Scotch, Irish, and a few French. Only half the inhabitants were English. Penn's colony, therefore, was the first one to be made up of the mixture of races destined to become the population of the United States.

Pennsylvania's early economic life was more fortunate than that of the majority of the colonies. Trade seemed to spring up at once, and prosperity was evident almost from the start. The Quakers who settled in Philadelphia made small fortunes for themselves, and within a generation or two a genuine Quaker aristocracy was evolved.

GEORGIA

The last of the thirteen colonies, Georgia, was not founded until 1732. History has not made clear just why this valuable territory between South Carolina and Florida remained unoccupied so long. Before it was settled the Spaniards had investigated the rumors of possible mineral wealth in the mountains, while the French, working up from Mobile Bay were beginning to realize the advantages in the Indian trade there. Also the English had sent various exploring parties into the region even before 1730.

The plans for settlement, in their final form, called for the establishment of a sort of combination barrier colony and philanthropic enterprise. The new colony might serve to ward off possible Spanish danger from the south, and to receive the worthy poor who cared to try their fortunes in the new world. Georgia was started as a proprietary colony, although the board of trustees named in the charter

were specifically prohibited from receiving any profits and all accounts were to be submitted to the British government. The charter gave the company power to make laws, and to enforce them; it made no provision for a representative assembly. All officials, except revenue officers, were to be appointed by the company, although the governor had to be approved by the king. The system of proprietary government was not wholly satisfactory, and in 1752 Georgia was added to the list of royal colonies.

The rapidly increasing population in England's North American colonies was, during the seventeenth century, primarily English. There were a few Scotch in several colonies, and a few French Huguenots, chiefly in New England and in South Carolina. In Pennsylvania could be found a really appreciable non-English element, and even there the Dutch, Swedes, and Germans exercised almost no influence upon social or legal institutions and customs. During this seventeenth century formative period therefore, the dominant characteristics in all these colonies were English. When the number of aliens increased, as it did during the eighteenth century, the new comers found very little opportunity to stamp any part of the Atlantic seaboard with their own culture. They either adopted the English mode of life in the older colonies, or drifted to the frontier, where the environment transformed them into Americans, and they soon became accustomed to the English forms of government.

Although the basic elements in all the thirteen colonies were substantially the same, different interests, different ideals, and especially different conditions produced noticeable variations from the original stock. By 1735 the shrewd, scheming New England trader for example peddling his small wares along the seacoast, could never have been mistaken for a Virginia planter. On the other hand, the wealthy merchant of Boston was not so very different in temperament and point of view from the merchants in New York, Philadelphia, or Charleston.

Fundamentally, however, the different groups of colonists were not so far apart as they were in mere externals. Their law was all based upon the English common law; their governments were based upon the same principles; their political methods were so much alike that there was no insuperable bar to union; and even in manners and customs the most striking differences were to be found in the older regions. On the frontier the settlers were so much alike that a Ver-

mont pioneer in the eighteenth century would have felt very much at home in the Georgia mountains. As for religion, as Puritanism gradually weakened in New England, and as dissatisfaction with the Church of England became apparent in Virginia, the average American could find much evidence north and south, of common interest in the evangelical, "vital" religion which was widely noticeable during the eighteenth century. On the whole then, there were more signs of uniformity than of difference, and the gaps between the rural sections and the mercantile centers furnished practically the only grounds for drawing sharp contrasts.

CHAPTER VII

NEW ENGLAND *VERSUS* ENGLAND, 1660–1689

In spite of the substantial contributions Charles II made to the cause of American growth, it is plain that the English government did not intend to found real colonies in America. The king merely gave legal sanction to private enterprises; and in giving this approval he had not the remotest intention of starting, or of allowing others to start, independent political units. From the royal, and legal point of view, the government would have been distinctly foolish to let its territory in the new world slip out of reach once it was inhabited, and valuable. From the beginning the colonies were "plantations," to be controlled by the home government, and regulated in its own interest. So the Privy Council looked after constitutional questions in the colonies while various committees were concerned with the economic problems in America. The colonies were an entirely new thing in English experience, and the system of control was even newer. In the beginning, therefore, the efforts at regulation were generally experimental and tentative in nature.

Before 1660, there was little opportunity for the working out of a consistent colonial policy. After the Restoration, however, the English government devoted a good deal of thoughtful planning to the problem in both its constitutional and its economic aspects. The "plantations," which had been almost insignificant at first, were growing into a veritable empire, and as they grew, the problems of trade and defense grew proportionately. It is not surprising that in the various plans of control, the English officials charged with the responsibility should have placed the general welfare ahead of the local interests and prejudices of the colonists. Nor is it to be wondered at that the general welfare was frequently interpreted in terms of English advantage. These men of the seventeenth century were not the first nor the last human beings to identify their own desires with the welfare of the universe. They believed specifically that the government of the colonies needed to be supervised more

carefully than before, and that the trade needed more careful attention.

That part of the new policy dealing with problems of government was tried out first—unsatisfactorily—in New England. Its failure entirely to please any one probably prevented its being permanent. The system of commercial supervision however, was gradually developed and extended, until it reached its climax shortly before the Revolution.

While the English officials were discussing possible plans for keeping the colonies in a state of dependence, a very different policy was being worked out in New England, or more especially, in the colony of Massachusetts Bay. The average Puritan who had come to Massachusetts had come to stay. He was consequently occupied with his own affairs, and generally indifferent to the purposes of the Council for Foreign Plantations. In pursuing his own designs, he was perfectly willing to hold himself apart from all connection with the British government; all he wanted was to be let alone.

From the time of its foundation the Puritan commonwealth in Massachusetts had carried itself with an air of independence, that could not fail to attract attention in England. As early as 1634, Charles I had appointed a commission to investigate reports from that colony, and only the growing difficulties in England saved Massachusetts from a thorough overhauling. During the Protectorate, the Bay Colony had been notoriously independent in manner and bearing. And, besides, the New England Confederation had a suspicious appearance. Suppose it were, as rumor said, an offensive alliance against English authority? When the officials realized that in 1670 New England contained about one third of all the English in North America, they felt called upon to act.

ENGLISH INVESTIGATIONS

In 1661, Charles II appointed a committee of the Privy Council to investigate the situation in New England, and especially to consider the case of Massachusetts. As a result of this investigation, the king made certain demands upon the colony. He ordered the officials, first of all, to broaden the franchise, by giving the right to vote to all respectable land owners, even though they were not members of the Puritan Church. Next, he ordered them to permit the Church of England to hold services in Massachusetts. These two demands

were strictly in harmony with the policy of Charles II in other colonies, and they were designed to undermine the political and religious absolutism of the Bay Colony. The king then ordered that the colony administer justice in his name, and compel all the inhabitants to swear allegiance to him. These demands were the logical result of the rumors coming from Massachusetts.

But the General Court used its own discretion in carrying out the king's orders. The demand for an extension of the suffrage rights was evaded. The legislature passed a law, ostensibly to grant the right of voting to all orthodox property owners; but it provided that the Puritan ministers must certify to the prospective voter's orthodoxy. The ministers interpreted these duties very strictly. Furthermore, although the General Court decreed that all legal papers should run in the king's name, it referred the other demands to a committee which never reported.

In 1664, the king appointed a special committee of investigation, to canvass the whole subject of conditions in Massachusetts. The commission was ordered to look into the Indian problem, to capture the regicides, to enforce obedience to the Navigation Act, and to secure the establishment of liberty of conscience for all. These were the avowed aims. In addition, the committee received some secret instructions, with orders to secure from the General Court a law or laws empowering the king to nominate the governor of Massachusetts, to control the militia, and to pass upon the laws enacted in the province. In general the committee was expected "to dispose the people to an entire submission and obedience to the king's government."

When the commissioners arrived, the authorities in Massachusetts would permit no interference of any sort with the government or with the courts, and they denied the validity of the royal commission. They garrisoned the fort in the harbor, and made general plans for defense. When the king's representatives tried to hold a public inquiry, the people were officially warned to ignore them.

In openly refusing to respond to the advances of the commissioners, the colony of Massachusetts did something more than assert its right to govern itself. It raised the whole question of allegiance to England. Was Massachusetts a part of the empire, or not? If not, when had the king granted away his sovereignty over the region? He had not done so. And if the government of Massachusetts claimed independ-

ence, they could hardly blame the king if he tried to assert his authority over what was still, legally, a part of his dominion.

The report of the committee was not favorable to Massachusetts, and one of its recommendations was that the king strengthen his hold, by force if necessary. The proposed solution was the abrogation of the charter. At the time, however, the king took no action.

In 1674, the king put the Lords of Trade, a standing committee of the Privy Council, in charge of colonial affairs and colonial business. This committee was inclined to favor a firmer hold on the colonies, and to bring them more closely under royal control. Under the auspices of this new system of supervision, in 1676, Edward Randolph was sent over to investigate conditions in Massachusetts. He was instructed especially to find out what laws in the colony were at variance with the laws of England, and to see how the Navigation Acts [See Ch. VIII] were being observed. In 1681, Randolph received a commission as collector of customs in New England. The government of Massachusetts placed every possible obstacle in his way. He himself was not allowed to work, while his deputies were fined and imprisoned. Recalcitrant merchants, smarting under penalties imposed for violating the laws of trade, sued the collector's agents for damages in the local courts.

It is not strange that Randolph developed a feeling of hostility to Massachusetts. After a few years of ill-treatment there, he went back to England and urged the king to annul the Massachusetts charter. In support of this demand he found it necessary merely to summarize the policy of the Bay Colony after 1660. He reported that the authorities there had made no attempt to capture the regicides, and that the merchants were regularly evading the Navigation Acts, and that the right of appeal to English courts had been denied. Then he went back to the treatment accorded the investigating committee of 1664, and emphasized the evasion of the king's order to broaden the suffrage. All through his report he made plain the attitude of Massachusetts: an attitude of indifference to royal authority, and of independence.

Randolph was not obliged to resort to exaggeration or invention to make out a strong case against Massachusetts; the record itself was unmistakably plain. And that very fact revealed the real point at issue. The English government was trying to work out a system of colonial regulation and control, while Massachusetts persisted in con-

sidering herself exempt from any such system. Leaving the legal aspects of the question out of account, it may be that the inhabitants of Massachusetts were entitled to all the independence they could get. But the king was not ready to concede their right to deprive him of control over territory which belonged to the English domain. If they wanted independence, there were other parts of the world which were outside that domain.

Upon the strength of Randolph's representations, the Crown ordered the issue of a writ of *quo warranto*, as the first step in annulling the charter, but legal technicalities prevented the completion of the process. Finally, in 1684, under a writ of *scire facias*, the charter was revoked, and Joseph Dudley was named the first royal governor. If this action seems inconsistent with the liberal policy which Charles II had pursued elsewhere, the fact remains that he waited over twenty years before bringing action, and during that time he received two full reports, showing that the authorities in Massachusetts had violated their own charter, besides ignoring some of the reasonable orders of the king. It is also clear that if the king's orders had been carried out, the Bay Colony would have been a far more liberal and democratic place.

SIR EDMUND ANDROS

During the first part of the reign of Charles II the Council for Foreign Plantations had advised the fusion of all the northern colonies into a single dominion. Then, beginning in 1675, the body known as the Lords of Trade had aimed at the union of all the proprietary and charter colonies, under careful royal supervision. This course seemed necessary because of the commercial problems. It was the duty of the Lords of Trade to oversee the enforcement of the various laws designed to regulate commerce, and in doing this work they were hampered and blocked by the consistent evasion of duties and by the widespread smuggling which was prevalent in America. The existence of several independent governments was proving to be a source of loss and weakness. Furthermore, some sort of centralized authority was needed to make possible the development of an ambitious fur trade. This plan had for its object the transfer of the greater part of that trade from the French centers at Montreal and Quebec to the English center at Albany. In order to do this, the New England colonies would have to work with New York. Had the experi-

ment proved successful, all the northern colonies would have profited from it, but New England insisted upon going her own way. The only remedy for this failure of the colonies to coöperate in plans for their own obvious advantage, was consolidation.

The Lords of Trade had never been able to convert Charles II to their way of thinking, but James II proved to be more to their liking, and in 1686 the final plans were worked out. These called for the union under a single government of all the colonies north of Pennsylvania. For the governor of this new union Sir Edmund Andros was selected. Andros was forty-nine years old at the time, a soldier, with considerable experience in administrative work; a man of ability, with an honorable record, but somewhat lacking in the qualities of the diplomat. He was sent over to execute a definite plan, formulated by the Lords of Trade; he had no discretion regarding the form of government to be established. His position in New England was certain to be difficult for while he was thoroughly in sympathy with the plan, the New Englanders were not.

Andros was appointed in May 1686, and entered Boston the following December. His whole administration, from that time until April, 1689, was devoid of peace or comfort. The fact that he brought troops with him aroused ill-will at the start, for the New Englanders were not accustomed to the sight of British troops. In fact, their only previous experience with them had been in 1664, in connection with the investigating committee of unpleasant memory. Every order that Andros started to carry out meant trouble of some kind. His attempt to annul the charters of Rhode Island and Connecticut was successful in the former colony. In Connecticut the authorities refused to give their charter up, but Andros succeeded in controlling the colony while he was there.

The royal governor was clothed with extensive powers. With the help of a council of forty-two, the members of which were appointed, not elected, he could make laws, levy taxes, and administer justice, all in the name of the king. This doing away with the elective assemblies in the colonies within his dominion was the most serious grievance about which the people complained. In addition, he suspended the *habeas corpus* right, established a censorship of the press, and proceeded to question the validity of land titles in Massachusetts, a step which did not win him wide popularity in the agricultural sections. These were legitimate grounds for hostility, not against him person-

ally, but against the king and the Lords of Trade for inaugurating the system. But in addition to their complaints about these genuine grievances, the Puritans made almost as much noise over his introduction of the Church of England into Boston.

In the spring of 1689 Boston received word of the "Glorious Revolution" of 1688, and the power of Andros collapsed. His government was overthrown, both in New England and in New York, and he himself was placed under arrest in Massachusetts and subsequently shipped back to England. With his fall came the end of the policy of colonial consolidation.

It would be hard to find a better instance than this of the conflict between colonial theory and imperial practice. The colonies, or some of them, would go their own way, regardless of the plans of the English government, even though some of those plans would have been beneficial. The Lords of Trade, on the other hand, were not careful enough to avoid giving unnecessary offense to the high-spirited colonists. Both sides showed only too much lack of adaptability and disinclination to work together to promote the interests of the whole empire. Just how far each side could go in having its own way, without wrecking the empire, remained to be seen.

THE QUAKERS

During the period preceding the Andros experiment, forces were at work, not from without but from within, which were destined partially to undermine the rigid conservatism of Puritan government and theology, and to bring the New England colonies into a somewhat more pliable temper. Perhaps the last stand of the older, most conservative Puritans was to be seen in the contest with the Quakers. These intense individualists, noted for their "incorrigible contempt of authority," had been disturbing the equanimity of the established sects in England, and before the middle of the seventeenth century they were showing signs of interest in the colonies. In 1656 two Quaker missionaries were shipped back to Barbadoes, and in 1659–1660 four Quakers were hanged on Boston Common. The charges against them declared that they denied the validity of the scriptures, and worked to upset both Church and State. They insisted upon the right of individual interpretation of the Bible, and they refused to accept the authority of the Puritans any more than that of the pope. Worse yet, they quoted against the Puritans the very same arguments

which those worthies had urged against Archbishop Laud, and who likes to have his own guns turned upon himself? Clearly they were disturbing factors anywhere, and especially so in the narrow-minded confines of straight-laced Puritanism, where virtue itself was looked upon with suspicion unless branded with the proper label.

But the unbending, almost tyrannical supremacy of original Puritanism could not last forever. In England the Restoration had put an end to Puritan dominance, as well as to the popularity of Puritan theories, and the reaction was bound to spread to America. As the number of non-Puritan inhabitants increased, there developed a good deal of opposition to the Puritan tendency to regulate everybody else's business.

Perhaps the most important single factor in the departure from Winthrop's original standard was the rise of important commercial interests in New England. The merchants knew that their trade depended in large measure upon markets outside their own section, but inside the empire. They also knew that the colonial merchants needed the protection of the British fleet. Consequently in the colony, and in the General Court, there developed a moderate party, out of sympathy with the theologians, and not unalterably opposed to a working agreement with England.

As the second generation of New Englanders grew to maturity, the rigid austerity of the first pioneers had to give way to a state of mind and an outlook on life tinged with at least a little warmth and geniality. Christmas celebrations and dancing became more common, as did likewise a tendency to stay away from Church services. Instead of listening to learned expositions of unadulterated Calvinism and vivid descriptions of the flames of hell, the young people not unnaturally preferred to ramble in the woods and fields, always of course to the consternation of their elders. In spite of the determined efforts of the older generation, New England became a more comfortable place in which to live, with a livelier interest in the pleasures of this world, and a more sensible attitude toward the next.

CHAPTER VIII

THE BRITISH COMMERCIAL SYSTEM

In tracing the growth of the English colonies in North America it is necessary to follow two distinct, and sometimes conflicting movements. There is to be seen on the one hand the development and expansion of the colonies themselves, and on the other the gradual evolution of the British system of supervision. The first movement was of course responsible for the second. If the colonies had never branched out, there would have arisen no need of any policy of regulation.

It so happened, partly perhaps because of the failure of the Andros experiment, that the English colonial system, as finally worked out, differed from both the Spanish and the French, in that it was primarily economic, rather than political. From the English standpoint, matters of government were secondary to matters of trade, and the aim of the English officials was the creation of a commercial empire. Thus, while the Andros episode represents the only systematic attempt to override the elective assemblies, and to overthrow the established forms of government, the seventeenth and eighteenth centuries furnish numerous cases of attempted trade regulation.

MERCANTILISM

During the seventeenth century England had no experience to serve as a guide in this matter of looking after colonies; moreover, she had very little in the way of political theory that seemed to fit the case. But there was a popular theory of economics very much in fashion at the time known as mercantilism, and in accordance with this the system of colonial control was evolved. The chief aim of mercantilism was the attainment of economic self-sufficiency; that is, each state aimed to become mistress of all her resources, and to prevent rivals from participating in any of her economic interests. Mercantilism also demanded the development of a favorable balance of trade, so called; in other words, the nation should try to sell more than it bought. Colonies were desirable in the system, because they

could furnish raw materials and supplies which could not be produced at home. Mercantilism did not contemplate the establishment of self-governing colonies, because such units might contribute nothing to the parent state. The idea of colonies as markets for home manufacture did not take very definite form until the middle of the eighteenth century.

Once the colonies were established, it became necessary to regulate their trade so that other nations could have no part in it, and so that it would bring the fullest profit to the parent state. Along with the profit to the merchants, there was an opportunity for the government to collect a revenue by the imposition of tariff duties. Throughout this whole philosophy runs the idea of colonies both politically and economically dependent upon the colonizing power. But economic dependence was not by any means synonomous with economic death. The superior government did not want to ruin the economic life of the colonies; it wished merely to prevent the colony from developing interests that might compete with those already established at home. That was the negative side. On the positive side, the parent state tried to develop and foster those economic interests which were peculiarly suited to the colony. Each part of the empire was expected to specialize in those products and commodities which Nature seemed to assign to it.

More specifically, the British government hoped to find certain commodities in her colonies. These were first of all gold, the accepted standard of value and the great medium of exchange. Then they wanted grapes, to free themselves from dependence on French and Portuguese wine; spices, and fish, to free themselves from dependence upon Holland; and naval stores, to get away from dependence upon the Scandinavian countries. If the colonies could be made to produce any or all of these articles, trade in them must be limited to English shipping, so that foreign merchants would not take away any of the gain in handling them.

The first concrete application of this philosophy was made in connection with the Virginia tobacco trade. In 1621, the Privy Council ordered the Virginia colonists to ship all their tobacco to England. At the same time, both the importation of foreign tobacco, and the raising of tobacco in England, were prohibited. And, as a part of the same policy, foreign merchants were forbidden to bring American colonial tobacco to England. These regulations restricted

the market of the Virginia planters to the British empire, and that might be looked upon as a violation of the rights of the colonists. On the other hand, the Americans were given an absolute monopoly of the English market, free from any sort of competition. This provision was, at the time, ample compensation for the other, because it forced Englishmen to smoke Virginia tobacco, if they smoked at all, when many would have bought the Spanish product, if left to their own choice. The restriction on tobacco raising in England was not repealed until 1909, and during the seventeenth century at least, it was rigidly enforced. Samuel Pepys refers to the regular attempt made to raise tobacco in Winchcombe, and to the equally systematic destruction of the crop, year after year, by the authorities.

This arrangement of the tobacco trade is an ideal illustration of the mercantilist theory. There was the plan to foster a colonial product, to restrict trade in it to English merchants, and to prevent other parts of the empire, less fitted to produce it, from competing with the more favored growers. In the beginning the arrangement was as equitable as any artificial limitation on commerce can ever be, because the loss of one possible market was more than made up by the protection afforded in an absolutely certain one.

The application of this system to the tobacco trade marks the beginning of an important chapter in colonial history. Such a regulation involves the appointment of officials to enforce it. If the regulation remains in effect over any length of time, the officials in charge develop certain administrative customs and habits which acquire power with age. Their aim is always efficiency, regardless of the psychological effect of their work on the people affected. And the administrator tends to free himself from both executive and legislative control, and so is likely to become something of a law unto himself. This tobacco regulation was beyond the reach of the House of Burgesses of Virginia, and virtually beyond the range of the interests of the House of Commons. It belonged to the province of the Treasury Board, which went its way sometimes regardless of wisdom and expediency. Thus before the first colonial legislature had really acquired any power, the initial steps had been taken in establishing an administrative control over certain aspects of colonial life.

Before the time of Cromwell, not very much more was done, partly because the colonies were small, partly because of the pressure of growing trouble in England. In 1622, James I appointed a committee

of the Privy Council, to have oversight of navigation and trade, and Charles I continued this committee. Cromwell was greatly interested in the whole colonial and commercial problem. In his analysis of the situation, he found one serious obstacle in the way of English development: the Dutch grip on the carrying trade of the world. These enterprising people built ships more cheaply than their rivals, and they were able to charge lower rates than the merchants of other countries. Cromwell wished to bring to English merchants some of the Dutch trade, and he was not at all unwilling to resort to war, for the purpose of eliminating a commercial rival.

THE NAVIGATION ACTS

In 1651, apparently under the direct influence of Cromwell, Parliament passed a Navigation Act, designed to close English trade to the Dutch. This measure provided: that goods imported into England from Asia, Africa, or America, were to be brought only in English ships; that goods from Europe could be brought in English ships, or in the ships of the country where the goods were produced or manufactured; and that goods for the English colonies in America could be carried there only in English ships.

The purpose of the law was to create an English commercial monopoly, the benefits of which were to be strictly confined to English subjects. For the purposes of this Act, ships built in the English *colonies* were placed on the same level with ships built in England, so that the American shipping interests could profit from it. Under the protection of the Act, American shipping steadily increased, and before the end of the seventeenth century, Boston, Newport, New York, and Philadelphia became important mercantile centers. Cromwell therefore conferred an inestimable advantage upon colonial-built ships, by freeing them from all competition except that of England herself. However much the later Navigation Acts may have interfered with colonial commerce, there is no doubt that this first one was a powerful stimulus.

When the Cavaliers came back into power in 1660, they were quick to perceive the advantages in the Cromwellian Navigation Act; and to remove doubt as to its validity, they had it reënacted, with certain important additions. Besides the sections relating to shipping, the new measure provided that certain specified colonial products must be carried directly to England. These, the famous "enumerated

commodities," were sugar, cocoa, tobacco, cotton, and dye-woods. The aim here was of course to provide for a regular supply of certain raw materials. Cotton and dye-woods were listed for the sake of the manufactures, while the others were listed for the sake of customs revenue. As was the case with tobacco in the first attempt at trade regulation, the colonial producers were given a monopoly of the English market, by way of compensation for the loss of possible markets on the continent.

In drawing up this "enumerated" list, no attempt was made to include all the articles which the colonists did or might export. During the whole colonial period, except for certain intervals in war time the Americans were free to export grain, flour, fish, meat, and lumber to any part of the world where they could find a market, and these commodities made up the bulk of exports from the New England and middle colonies.

The growth of the system of trade regulation went steadily forward after this. In 1663, a new Navigation Act provided that all continental European commodities destined for the American colonies must first be landed in England. The aim here was partly financial gain, because the government collected a duty on all cargoes so landed, and partly restriction. By this device the colonists might be discouraged from buying outside the English market, and from building up an import trade of their own, entirely independent of the English customs service.

The enforcement of some of these restrictive measures proved to be difficult. Before the Dutch were driven out of the Hudson River valley, they aided and encouraged the colonists who were interested in pursuing trade in their own way, regardless of the Acts. The Dutch carried Virginia tobacco to the ports of continental Europe, and they brought European goods directly to the Americans. Furthermore the New England merchants acted upon the principle that their own trade was free. Thus while they accepted the freedom from competition which the first Navigation Act gave them, they recognized no obligation on their part to pay for the benefits so received by complying with the restrictive measures. The habitual disregard of the laws of trade was the burden of many of the complaints directed at Massachusetts.

In order to make the enforcement less difficult, in 1672 Parliament provided that in case the carrier did not give bond to carry

enumerated commodities to England, he must pay a duty of 1d. per pound at the port of clearance.

COLONIAL ADMINISTRATION

As the regulations increased in number, the administrative machinery was enlarged and expanded to assist the officials in their work of enforcement. In 1660, the king appointed a Privy-Council Committee for Foreign Plantations, with two subordinate councils, one for plantations, and one for trade. This committee was expected to familiarize itself with conditions in the colonies, to keep in touch with colonial governors, and especially to secure copies of new colonial laws. Incidentally, it was to try to secure greater uniformity in the systems of government of the colonies. In 1674 this committee gave way to a standing committee of the Privy Council, of twenty-four members, known as the Lords of Trade. This new committee served as a bureau of information on colonial affairs. It collected and kept on file material pertaining to the colonies, and it made special efforts to have available a detailed history of each colony. It drafted all the instructions for the royal governors, considered plans for new colonies, suggested candidates for colonial positions, and passed upon the new laws enacted in the colonial legislatures. All complaints from the colonies were referred to it, and it investigated all charges brought against any particular colony. The Lords of Trade were hard-working, conscientious, and generally honest officials. They never acted arbitrarily, and they always gave a colony ample opportunity to present its side of the dispute, in case of controversy.

Along with the development of these organs of control in England, the policy of trade regulation necessitated the appointment of new officials in the colonies. Experience had proved that the colonial governments could not be relied upon to enforce the Acts of Trade. So in all the colonies there soon appeared surveyors, collectors of customs, naval officers, tide waiters, and various other agents of the English Customs Board. By 1688 this system of control had become so well established that it not only could survive the shock of the revolution against James II, but could continue with practically no change the strictly administrative features of the Stuart policy.

William and Mary, the successors of James II, found this system of colonial regulation fairly well worked out when they came to the throne. They not only retained, for a time, the body known as the Lords of

Trade, but they kept a number of the Stuart advisers. The influence of these men, added to that of the Whig merchants, threatened for a brief period a renewal of the Andros régime. The merchants wanted the laws of trade enforced, while the king, gravely concerned with matters of defense, could see certain strategic advantages in colonial consolidation. In the course of a few years a sort of compromise was worked out, whereby the idea of strict political control was given up, while the system of commercial regulation was extended and more solidly established. The colonial policy of William and Mary found expression in two important measures: the new charter of Massachusetts, and the great Navigation Act of 1696. In the new charter, Massachusetts Bay and Plymouth, along with Maine and Nova Scotia were combined into a single colony. The new government provided for a governor appointed by the king, a House of Representatives elected by the voters, and a Council chosen by the General Court. Because there was legally no General Court in existence when the system went into effect, the first councillors were named in the charter. The governor, with the consent of the Council, had power to appoint the judges, sheriffs, marshals, and certain other officials in the colony, and to adjourn or dissolve the General Court at will. Courts of justice might be established by act of the General Court, but parties to all important suits were given the right of appeal to England.

The powers of the General Court were slightly restricted. It received authority to vote taxes, and to make laws, but the laws must not be inconsistent with those of England. The governor had absolute power of veto, and furthermore the laws were subject to disallowance by the Privy Council. While the House of Representatives appointed its own speaker and clerk, these appointees were subject to the governor's approval.

All admiralty jurisdiction was reserved to the Crown, which meant, briefly, that the colony had no authority in the matter of trade regulation, and that all the officials concerned with customs matters were beyond the reach of the General Court.

The Navigation Act of 1696 marked the climax in the development of the early British colonial system. It was almost entirely an administrative measure, designed to eliminate those evils which a none too satisfactory experience had revealed. In order to bring the chartered colonies within the scope of royal regulation, the Act subjected the

governors in those colonies to royal approval. Likewise the governors themselves were required to take oaths, binding them to uphold the acts of trade, before beginning their work. The penalty for neglect of duty in this respect made the offender liable to dismissal from office and a fine of £1000.

Furthermore, the Act empowered either the Lords of Treasury, or their agents, the Commissioners of the Customs, to station customs officials anywhere in the colonies, where the good of the service made their presence necessary. The customs service itself was reorganized, to make it more effective, and a regular system of vice-admiralty courts in charge of royal officials, was established in the colonies. Thus the requirements of administration made necessary the evolution of a complex official structure in the colonies, all of which was entirely beyond the legal reach of the Americans.

The highest authority over the colonies was the Privy Council. During the seventeenth century its powers were, theoretically, absolute, and even the rise of the Cabinet did not deprive it of more than a fraction of its influence. Under the Privy Council and the Cabinet there was a whole series of boards, such as the Treasury Board, the Admiralty Board, and others. As the Cabinet developed, the Secretary of State for the Southern Department became its agent in colonial matters.

Administrative machinery can generally be depended on to increase in size, if not in effectiveness, very much as a snowball grows larger and more unwieldy the longer it rolls. As the number of commissions increases, the directing powers will call for the creation of a supercommission, to administer its predecessors, to make them function smoothly and to try to create efficiency, where it is most needed and generally least possible. So, in 1696, a royal order created the Board of Trade, to succeed the Lords of Trade, and to have general oversight of all colonial and commercial questions. This new Board was composed of eight ministers, who were ex-officio members, and eight active members, not connected with the ministry, who did most of the work. The Board passed upon all instructions issued to the colonial governors, and kept on file for study and reference, all reports sent in from the colonial executives. Furthermore, it examined all new laws passed by the colonial legislatures, and advised the Privy Council with reference to its action regarding them. It was supposed to be the body from which the

Privy Council, the Cabinet, the various boards, and any interested individuals, could get information about the colonies.

The Board of Trade failed to function with entire satisfaction as a colonial office, because it had too little authority. The Board could formulate plans, but it was not closely enough bound up with the Cabinet to force the adoption of its policies. It could give advice about prospective appointments to colonial posts, but it had no way of compelling good selections, or of preventing bad ones. When any secretary of state wished to use a colonial office as a place of refuge for a political friend, the Board could not prevent him. Also, the Admiralty Board and the Customs Board, to name only two, had highly developed senses of their own importance, and incidentally, a peculiarly keen appreciation of the need of preventing any reform that might cut down the number of jobs available. When the services of the Board were most needed, that is, after 1760, political controversies in Parliament and in the unstable ministries of George III virtually nullified its influence.

From 1700 to 1760, there were no changes in the principles governing the regulation of the colonies. The Navigation Acts furnished the guides, and the work of administration was carried out by the various boards. The patent defects of the system, if it can be called a system, are obvious. No part of all this complicated machinery had been planned solely with reference to colonial needs. The Board of Trade was concerned with all the trade of the empire, and all the manufacturing too. So it was quite possible that the Board might lose sight of colonial matters in its efforts to solve comprehensive problems. Moreover, as the "plantations" of the seventeenth century grew into the prosperous colonies of the eighteenth, the British system recognized no change in their legal status. In the beginning there had been no doubt of the authority of the Privy Council to regulate colonial affairs. This was true, even in Massachusetts. Although the Puritans ignored England, they were able to do so only because circumstances in England made interference in America practically impossible. As the colonies grew, their legislators were converted to the belief that in all colonial affairs, they should have the final decision. This theory was naturally inconsistent with the principle of English supremacy. But there were certain matters, such as commerce, which needed regulation, and as the twelve separate American legislatures were clearly unable to do the

work, the English government continued to do it. Eventually, the colonial theory of complete autonomy was bound to clash with the British theory of supremacy.

As a matter of fact the system of British control did not interfere with the potential prosperity of any one colony nearly as much as the federal government does with that of some of the states to-day. What might New York do, for example, with a tariff on exports, and a series of import duties of her own!

CHAPTER IX

THE DEVELOPMENT OF COLONIAL GOVERNMENT

This system of commercial regulation just described represented the more important part of British colonial policy. Down to the very eve of the Revolution matters of government were secondary to those of trade. And yet there had been problems of government, even in the early years of colonization, and these increased in importance, and in difficulty, as the task of enforcing the Navigation Acts became more complicated. If such problems could have been solved satisactorily, the Revolution might conceivably have been avoided; in any event, the final break in 1775 indicates a failure to fathom the secrets of successful colonial relations.

If it be granted that this failure occurred, the apparent causes of it can be found in the course of governmental evolution, both in England and in America. During the greater part of the colonial period, Englishmen were so busy in the task of remodeling their own system that they were not always fully aware of what was going on in their "plantations" across the Atlantic. It happened that colonial settlement coincided in time with the great English constitutional struggle, which first subjected the king to the control of Parliament, and then produced the Cabinet.

Before this contest started, the king and the Privy Council had held the dominant place in England, and they naturally took charge of the colonies. During the reign of Charles I the Privy Council officially denied the right of Parliament to intervene in colonial matters. But with its power steadily increasing in England, Parliament could hardly avoid touching upon American matters, even if it had desired to do so. Then, during the Cromwellian period, with kingship and council both abolished, Parliament proceeded to define some of its new-found powers. In 1650 the following resolution was adopted:

"Whereas the islands and other places in America, where any English are planted, are and ought to be subject to and dependent upon England and

both ever since the planting thereof, have been and ought to be subject to the laws, orders, and regulations as are and shall be made by the parliament."

Perhaps the first concrete application of this theory is to be found in the Navigation Acts. Then after 1689, Parliament frequently turned its attention to colonial matters, and by 1765 it had placed upon the statute books about sixty laws which directly affected the colonies. Two thirds of these dealt with matters pertaining to commerce and navigation. As Parliament became more actively interested in colonial matters, its authority was duly upheld by the English courts. In 1720 the chief justice of the Court of Common Pleas declared that the colonies "may be bound by Laws, made respectively for them by an English Parliament."

COLONIAL LEGISLATURES

Legally this assertion of Parliamentary authority was sound. In the beginning there had been no doubt of the supremacy of the king and the Council, and Parliament succeeded to their power. There were, however, practical difficulties which virtually invalidated the theory of Parliamentary supremacy. Not the least of these were the very facts of colonial growth. While Parliament had been getting the upper hand in England, a somewhat similar process had been going on in America. During the seventeenth and eighteenth centuries, the colonial legislatures were undergoing a very rapid and interesting growth. Beginning as mere borough assemblies, they developed into miniature parliaments, with a sense of power and of pride in their achievements that would have done credit to their model in England. These bodies worked hard, and increased in wealth and prestige. Free from English interference for the most part, they developed a philosophy of their own regarding lawmaking and taxation, in which there was scant place for any notions of Parliamentary supremacy. Their work dealt with matters of primary concern in America, and as compared with their output, in quantity, the sixty Acts of Parliament relating to the colonies seemed hardly worth considering. So it happened that after 1760, when Parliament was ready to devote more time to a legislative program for the colonies, the Americans would have none of it. They wanted no legislation beyond that produced at home.

The actual course of this growth is one of the most illuminating

chapters in American history. By the end of the first third of the eighteenth century, ten of the thirteen colonies had virtually the same type of government. In the royal colonies the governors were appointed by the king, and in Pennsylvania and Maryland, the two remaining proprietary colonies, by the proprietor. The governors had about the same duties in all these colonies. They had general oversight of the work of administration, they were supposed to enforce the laws, and they acted as commanders of the militia. Incidentally, they were expected to watch over the interests of the Crown or of the proprietors—and to guard against possible encroachments of the colonial assemblies. The chief executive in each one of these colonies represented the principle of external control.

Next to the governor stood the Council, appointed by the king in all the royal colonies, except in Massachusetts. This body had a dual function. When the legislature was in session, it served as the upper house; at other times it acted as the governor's advisory body. The members of the Council were colonials, selected generally from among the wealthier or more aristocratic citizens, usually on the governor's recommendation. In general the governor and the Council stood together, although that was not always the case. Occupying as it did a middle position in the government, the Council was the connecting unit between royal and local interests.

Following the Council came the elective branch of the legislature, the lower house, virtually the same in all the colonies, in spite of the different names attached to it: House of Burgesses in Virginia, Assembly in New York, or House of Representatives in Massachusetts. This was the body representing, not the people, but the voters, in other words, the property owners. Suffrage qualifications were not uniform in the various colonies, but not more than a sixth of the population voted in any, and probably the average was about one tenth. These elective assemblies shared with the councils the right of initiating all legislation, except financial, which custom reserved to the lower house alone. All legislation passed by the colonial assemblies was subject to the governor's veto, and, if it passed him, to disallowance by the Privy Council.

The key to colonial constitutional history during the eighteenth century is to be found in a shifting of the balance of power within the framework just described. In all the colonies the elective branch of the legislature increased in power, at the expense of the governor

and Council. At first, some of these assemblies were distinctly weak; in Virginia, for example, the first House of Burgesses had no legal rights of its own; it enjoyed only such limited authority as the London Company cared to confer upon it. In the other colonies, with the exception of Plymouth, a royal charter granted whatever legislative power the assemblies had at the start. They exercised even the limited power which they had in the beginning, not by virtue of any inherent legal right, but by virtue of a concession from some authority, ordinarily the king, in England. Even as late as 1690, no colonial legislature could pass as the equal of Parliament.

By 1760, these elective assemblies had raised themselves to a position superior to that of both the governor and the Council, so that they became the dominant factors in colonial government. The results of this growth were never clearly appreciated in England, but they were fully apparent to the colonial political leaders. From their point of view the local assemblies were just as important, and just as powerful, each in its own field, as was Parliament in England. If English officials pointed to Parliament as the heir to the king's power, colonial legislators could point to the parallel development in the North American colonies, and on the American side of the Atlantic the theory of Parliamentary supremacy never took hold.

The preëminence of the lower house in colonial government was achieved, as was that of Parliament in England, after long contests with the executive power. The steps in this evolutionary process are fairly clear. In general, the colonial leaders aimed at frequent elections, so that the legislators could be kept in moderately close touch with the voters. In Massachusetts and Pennsylvania, for example, there were annual elections, in North and South Carolina biennial; the other colonies tried to secure triennial elections, at least.

Along with frequent elections, the colonial legislatures insisted upon their right to pass judgment on the qualifications of their own members. By doing this they could refuse to seat representatives chosen by corrupt methods, and they could keep out candidates whom the governors might try to work in by clever political chicanery.

More important still in the process of legislative advancement was the effective use made of financial power. Following in a course parallel with that of Parliament, the American assemblies secured first of all control over taxation. They then began the process of making specific appropriations, to prevent the governors from carry-

ing out their projects. In this connection, the legislatures aimed at a large measure of administrative control, especially in financial matters. Several of the colonial legislatures got control of the treasurer. Virginia did this in 1704, New York in 1715, and New Jersey, Pennsylvania, and the Carolinas before 1750. Sometimes the Speaker of the assembly was made the treasurer of the colony.

The lower house appropriated money for all the salaries, including those of the governor, council, and judges. The possibilities in this power were almost without limit. It was an unusual governor who would stand out against a policy favored by the legislature when he knew that by doing so he would deprive himself of his own salary. The average governor was far more likely to yield to pressure judiciously applied, and then turn over to the Privy Council the burden of blocking a popular measure. Thus by paying or refusing to pay salaries, the legislators made themselves masters of the executive branch of the government.

In England the promoters of Parliamentary supremacy had not been long in making the discovery that some sort of organization was necessary to enable them to use their newly-acquired power. The legislature itself was too large to function smoothly without leadership. In fact, it is difficult to get any constructive action out of any fairly large body of human beings, when they are left to themselves. Hence there arise cliques in private gatherings, caucusses in legislatures, and so-called "machines" in government.

The success of the colonial legislatures in their contests with executive power was due in large measure to a full appreciation of this need of organization. Victories were won, not by the legislature as a whole, but by a comparatively few active-minded members. As for the methods which they used to get results, they were the familiar, much criticized devices of "back-stairs" politics.

In a number of colonial assemblies, notably those of Massachusetts, New York, Virginia, and North Carolina, little self-constituted, informal committees, consisting of leaders in the legislature, practically assumed control of the governments. The operations of the little knot of leaders can be clearly traced in Massachusetts, just before the Revolution. A group of half a dozen men, with Samuel Adams in the lead, decided upon the legislative program and also upon what the executive officials should be allowed to do.

In New York, an informal joint committee held frequent meetings

during the session. These members made out the list of legislative business, dictated the appointment of officials, controlled the payment of salaries, and incidentally controlled the whole government, in its executive as well as its legislative branches. In 1766, Governor Cadwallader Colden complained that "The ruleing Faction gain an absolute influence over the officers of Government by the Sallary of every officer being every year voted or appointed by the Assembly, lessened or encreased, or refused, as they like the Man in office, and the Fund is yearly raised & applied for that purpose."

In Virginia the efforts of the tidewater planters to dominate the whole government made it almost impossible for the executive to get any results. He was subject to their orders. After one of his contests with the House of Burgesses, Governor Dinwiddie retired, somewhat the worse for the encounter, with the complaint that "such wrong headed People (I thank God) I never had to do with before." The "wrong headed People" in question were John Robinson, Speaker of the House and Treasurer of the colony, with his associates, the group that ruled Virginia until the efforts of Patrick Henry broke it up.

In North Carolina there was another joint committee, self-appointed like the one in New York, busily engaged in directing the government. The royal governor was helpless in a contest with this group. The members forced their measures upon him, in spite of his opposition, by putting them in as riders on the appropriation bills, and through their control of salaries they had a firm grip on the administration. In both colonies, although there was no official institutional basis for such a thing, miniature cabinets were in full operation.

This increase in the power of the elective branches of the colonial legislatures threatened to upset the "imperial constitution," and to make the colonies virtually independent in everything except commercial matters. On that account the subject was discussed frequently by the Board of Trade, and efforts were made to reëstablish the original balance. The Board drafted long sets of instructions for the royal governors, suggesting matters for colonial legislation, or insisting upon the veto of certain types of laws. But it took a courageous governor to face a determined assembly, and the control of the purse enjoyed by the latter generally meant the violation of the instructions.

By the eighteenth century most of the colonial legislatures were required to send their laws to England, where they were subject to disallowance by the Privy Council. In this way the effects of the governor's surrender to uncomfortable pressure might be overcome. The Privy Council disallowed laws because they were inconsistent with laws of England, because they conflicted with certain principles of colonial administration, or because they ran counter to English economic interests. In this way the central authority, not unlike the federal Supreme Court of to-day, tried to prevent the local legislatures from running off on too many tangents.

Of course the colonies were never represented in Parliament, but they did maintain agents in England, who were in some respects like the delegates which the territorial legislatures sent to Washington in later years. They were supposed to be ready to provide information when called upon, and to set forth the side of the colonies in case of dispute. The agents were appointed and paid by the colonial legislatures. Sometimes they were Englishmen, sometimes Americans. Not infrequently two or more colonies would have a common agent.

Such were the main outlines of royal colonial government. The system was loose jointed, and in its operations not always satisfactory. But it had the advantage of flexibility, so that under ordinary conditions it worked perhaps as well as any system does. The test of real success, however, comes with the crises, and in these as later events showed, the defects of the system were revealed with uncomfortable clearness.

Of the various types of colonial growth, this evolution of the elective assemblies is one of the most significant. In the long-continued contests with the governors, they provided the colonial leaders with the best kind of practical political training. For a generation, and more in some colonies, the politicians had been gaining experience in what some people like to describe as self-government. Local leaders were more conspicuous than the governors, and the voters came to rely upon them instead of upon the royal officials. In case of need, they were prepared to take the government into their own hands, and they possessed the requisite training and skill to operate it successfully. When the Revolution came, both governments and qualified leaders were ready for the break.

CHAPTER X

THE ECONOMIC DEVELOPMENT OF THE COLONIES

If the seventeenth century was the time of colonial settlement-making, the eighteenth was primarily one of colonial growth and expansion, and in no direction was development more in evidence than in economic life and interests. The extent of this growth is revealed in the census reports. Incomplete and inaccurate though they were, they set forth the broad outlines of the story. The following tabulation gives the approximate figures:

	1689	1760	
New England	80,000	473,000	
Middle Colonies	40,000	405,000	
South	85,000	718,000	(419,000 whites, 299,000 negro slaves.)

By themselves statistics are not especially illuminating, but when they are interpreted in terms of life they take on vivid significance. This extraordinary increase meant thousands of new farms and plantations, hundreds of fishing boats, thousands of ships. It meant the occupation of hitherto virgin territory, the substitution of herds of cattle and flocks of sheep for deer and wolves, and of the settled farmer for the Indian; it meant new villages, new towns, new churches, and new schools. In the older sections it meant the disappearance of the frontier, and the introduction of a modified form of European civilization. It lays bare the very foundations of colonial history, for without this growth there would have been little to record.

For the first sixty or seventy years after the founding of Jamestown, the economic life of all the colonies was primarily agricultural, although commercial development began early. The volume of trade increased steadily, and long before 1765 it had become one of the great interests in British America. In tracing out the various steps in the economic evolution of the colonies, it is somewhat easier to begin with those at the south, with their relatively simpler interests, and then take up the more highly diversified activities in the middle and northern groups.

SOUTH CAROLINA

In South Carolina the early settlers found profit, or at least sought for it, in raising Indian corn, hogs, and cattle. It was not long before they began to appreciate the value of their timber resources, and to their farm produce they soon added the products and by-products of the forests: lumber, tar, and turpentine.

These commodities could be turned into money in various ways. With fair regularity the Charleston dealers found an opportunity to furnish provisions for coasting vessels plying up and down the seaboard, or between the continent and the West Indies. Less frequently, but often enough to deserve mention, they did the same thing for pirate vessels, then altogether too common in Atlantic and West Indian waters. In the West Indies they found a dependable market for their salt beef and pork, corn, and also for their tar and lumber. The South Carolinians owned practically no ships, so their exports were carried largely in English vessels. These in turn brought to the colony imports from England.

South Carolina did not become prosperous until rice culture was introduced. It was first grown there about 1690, and the experimenters soon realized that the low lands along the coast were peculiarly favorable for the successful development of the crop. It became profitable almost from the start, so much so that the planters sometimes trebled their capital every three years. In 1700 the colony exported a few hundred barrels of the new grain, and from that time on the trade enjoyed a typical and durable boom. The table gives the figures for the increase, in round numbers. It should be noted that between 1740 and 1750 the size of the barrel was enlarged so there was an increase in the quantity exported, in spite of the marked decrease in the number of barrels. The larger barrel was used from that time on.

1720	17000 bbls.
1730	43000 "
1740	91000 "
1750	48000 "
1755	96000 "
1761	101000 "
1774	125000 "

Again, as with the census reports, it is necessary to consider these figures in the light of what they meant to the colony, in more plantations, more laborers, and especially more profits for the planters. As their incomes increased, they bought more and more heavily of English manufactured goods, so the growing rice trade added to the volume of business in various parts of the empire. Moreover, after 1742, South Carolina found another valuable money crop in indigo, and in 1772 the colony exported over a million pounds.

Perhaps the most obvious result of the profitable rice and indigo trade was the growth of Charleston, the only flourishing commercial city of the South. Here the wealthy planters had their town houses, well furnished according to English standards, and well stocked with European wine. By 1750, Charleston had lost its primitive frontier aspects, and had become a center of aristocracy and culture.

In 1705, the British government had tried the experiment of adding rice to the list of enumerated commodities. This attempt to restrict the market to England nearly ruined the trade, so the limitation was soon removed. That left the planters free to sell their product to the ports of Southern Europe, where they found a regular market until the Revolution.

THE TOBACCO COLONIES

The economic interests of North Carolina and Maryland were so much like those of Virginia that the three formed really a single unit. They were all agricultural colonies, and they were all interested primarily in tobacco. In 1649 Virginia alone exported a million and a half pounds, while in 1753, she exported nearly fifty-four million pounds. Tobacco was one of the enumerated commodities, so practically all of this trade went to England or to English colonies. This meant that the three tobacco colonies were bound somewhat closer to England than were any of the others. The tobacco was carried mostly in English ships, and these in turn brought back the English manufactured goods which the planters bought. The figures regarding this trade seem almost too big to believe. As early as 1692, in less than six months, one hundred thirty-six ships entered English ports from Virginia and Maryland, and in 1706, one fleet of nearly three hundred vessels entered, from the tobacco colonies alone.

The whole economic life of Virginia was bound up more or less directly with this trade, and the prosperity of the planters depended

on the price of tobacco in England. This varied, from year to year, as did the charges for shipping, so the planter could never tell just what his crop would bring. What he did was to run an account with an English merchant. The planter bought his supplies, generally on credit, from the merchant, and then sent his tobacco crop over when it matured. So the Virginians were practically always in debt.

In the eighteenth century, as the settlements moved into the back country, farmers in both Virginia and Maryland began to raise wheat. After 1740, Baltimore grew steadily in wealth and in population, with a prosperity based largely upon the export of wheat. This crop had one distinct advantage over tobacco. It was not enumerated, so it could be shipped anywhere.

In all the southern colonies there was considerable domestic manufacturing on the plantations. Coarse cotton and woolen cloth was produced for the slaves, but none was made for export.

THE MIDDLE COLONIES

The economic life in the middle colonies was far more varied and diversified than was that in the plantation colonies to the south. There were two groups to be considered here, one, including Pennsylvania, Delaware, and West Jersey, with a commercial center at Philadelphia, and the other including New York, East Jersey, and Western Connecticut, with its center at New York.

The agricultural products of the Pennsylvania group included grain and live stock, especially hogs and cattle; these furnished much of the material for the export trade going out from Philadelphia. To the West Indies, the merchants of Philadelphia sent grain, flour, salt meat, and lumber. They had agents in all parts of the world, and Philadelphia ships were known in all the "seven seas." Few of their exports went to England. Therefore, the business interests of the middle colonies tied the merchants closely to the West Indies, and to their other markets. Even though most of their imports came from England, as did those of nearly all the colonies, there was little, if any, sense of economic dependence on the northern country.

By the middle of the eighteenth century Philadelphia, with a population of fifty thousand, had become the largest city of the English colonies. Between 1727 and 1766, the records show a total of about sixteen hundred fifty ships under Philadelphia registry, of which seven hundred thirty-seven were built in Philadelphia. It is

not surprising that the Quakers of the early Revolutionary period had a reputation for sound business judgment, and that Quaker simplicity became synonymous with the simplicity of wealth and elegance. These spiritual successors of William Penn were undoubtedly prosperous, and they knew how to spend their money. Although a Boston Yankee by birth and early training, Benjamin Franklin was in a way typical of the city which he helped to make famous. If the Philadelphians revealed any one trait, it was a tendency to deal astutely with the world, to concern themselves very slightly with abstract matters, and to take full advantage of those physical comforts which their commercial keenness made possible for them. The atmosphere of Philadelphia was not the kind to produce martyrs.

The Colonial period was one of comparatively little manufacturing in Pennsylvania. The farmers' wives made homespun, and there was a good deal of iron worked up, but all was for domestic consumption, not for export. The development in this field was destined to come later.

The economic interests of New York were similar to those of Philadelphia. Furs perhaps bulked larger in the total export trade than they did in Philadelphia. The other exports were much the same, consisting of the usual grain, flour, and salt meat. Most of these commodities went to West Indian markets; New York had as little interest in selling goods to England as did her neighbor to the south. The two groups of middle colonies had developed a flourishing trade of their own, which left them with a feeling of indifference to England. Membership in the empire they considered valuable, of course, but there was nothing indispensable about it.

NEW ENGLAND

In New England there was another economic group, with well-defined activities and interests. The New Englanders raised the same agricultural and dairy products which have been referred to in Pennsylvania and New York. In addition to farming, the New Englanders, especially along the coast, found another resource in fishing. Their boats ranged all the way from Cape Cod to the Grand Banks, while their whaling vessels could be found almost anywhere on the high seas.

New England commerce was interesting and extensive. To the West Indies the merchants sent flour, meal, salt meat, salt fish, and

lumber; to the ports of Southern Europe they carried salt fish, and West Indian products, to England naval stores, furs, and perhaps some West Indian products. None of these food products were enumerated, and consequently they could be carried anywhere, provided a return cargo made the voyage worth while. These return cargoes consisted of molasses, sugar, and rum from the West Indies, textiles, luxuries of one sort or another, especially wine, and manufactured goods generally from England.

Incidentally, New England ships carried on a curious peddling business all the way up and down the North Atlantic coast. Loading up with a lot of small wares: kitchen utensils, cutlery, and notions, not unlike the stock of the old rural tin-peddler, the Yankee trader would match his wits with customers as far south as Virginia and the Carolinas. New England merchants were famous for the well known triangular trade, from their own ports, to Africa, to the West Indies, and back again. For these voyages the stock consisted chiefly of rum, slaves, and molasses. This chapter in American economic history is interesting from various points of view. The New England and middle colonies exported quantities of foodstuffs and lumber, far more than the English West Indies could consume, so they found markets in the French Islands. Moreover, the New England shippers found it more profitable to buy their molasses in the French islands than in the English. The French had no use for molasses itself, and before the Yankee market was presented to them, they fed it to hogs. They were equally indifferent to the distilled product of molasses, rum. When they wanted strong drink, they preferred brandy. So the New Englanders depended upon the French to buy their surplus provisions, and to furnish them with cheap molasses. These cargoes they brought back home, where the molasses was transformed into rum. Now to the untrained taste of the African negro rum was a blessing such as his own untutored intellect had never been able to provide. And he could get it, quantities of it, enough to submerge the pains of his drab world in debauch after debauch, merely by giving in exchange for it his own black enemies of the neighboring tribe, whom he had been fortunate enough to capture in the last fight. In this way the descendants of good Puritans of Massachusetts, or good dissenters of Rhode Island, instilled into some Africans a lusty desire for strong drink, and carried others off to the slave market in the West Indies or in the southern

colonies. The profits in this trade were tremendous, and Newport, Rhode Island, the center of it, became one of the wealthiest towns along the whole Atlantic coast. Some of the fortunes picked up from the slave trade are still in existence to this day.

But the molasses trade with the French West Indies was looked upon with disfavor by influential interests in England. Many West Indian planters had gone back to England, where they used their influence in Parliament to promote their own financial well-being, with little regard for that of other fortune hunters. Because of French competition, the prices for English sugar and molasses remained low, and the English growers turned to Parliament for a remedy. They pointed out the value of West Indian products to England, and emphasized the need of proper encouragement for their plantations. In spite of the arguments of the New England shipping interests, to the effect that their West Indian trade alone gave them funds to purchase English manufactures, the West Indian planter interests carried the day. In 1733, the famous Molasses Act was passed, imposing heavy duties on all foreign sugar, rum, and molasses imported into the British empire. The tax on molasses, 6d. per gallon, was designed to be prohibitive. Fortunately for New England, the measure was not enforced until after 1758, so the old trade continued to flourish without interruption.

In New England manufacturing had made more headway than in the other colonies. Shipbuilding was carried on actively at Philadelphia, and somewhat less so at New York, but in New England scores of towns were interested in naval architecture. The first ship built in Massachusetts was launched in 1631, and by 1676, over seven hundred ships had been built in Massachusetts. The work was continued throughout the colonial period, encouraged by the English government, and fostered and protected by the First Navigation Act. The New Englanders built ships for sale as well as for their own use.

The distilling industry should be included in the list of manufactures. Distilleries were numerous and profitable in Boston, Providence, and Newport, while Medford rum was almost as famous as Congregational theology. There were few if any conscientious scruples concerning either the manufacture or the use of alcoholic liquors in those days, and sumptuary reforms like the Eighteenth Amendment were never even dreamed of.

There were gristmills, sawmills, and tanneries in the back country of New England, as well as in the middle colonies and in the Carolinas. Likewise, where clay could be found, there were brick-yards. Most of the New England farmers wore homespun, and besides this sort of manufacturing, there were numerous other domestic industries.

There was a good deal of local iron manufacturing in New England, especially after 1720. Bog iron, so called, furnished the raw material, and was worked up through the various stages of pig iron, bar iron, and rods. The farmers bought the rods, out of which they made their own nails, spikes, hoops, and wagon tires. Later, a good deal of ship hardware was turned out, and the casting of iron pots and kettles was carried well past the experimental stage.

In spite of these promising beginnings during the colonial period, manufacturing never advanced beyond the preliminary stages. This was due in part perhaps to lack of capital, but more definitely to the shortage and the high cost of labor. With so much unoccupied land available, there was little incentive to work for low wages. And yet even those beginnings were promising enough to alarm the manufacturing interests in England. In 1699, Parliament endeavored to discourage the manufacture of woolen goods in America by prohibiting the exportation of woolens from one colony to another. Again, in 1732, the London Company of Felt Merchants induced Parliament to limit the number of apprentices which could be employed by colonial hat makers. And, in 1750, another Act of Parliament prohibited all but the crudest forms of iron manufacture in the colonies. It is doubtful if these restrictive measures seriously affected colonial activities. Domestic manufactures were certainly not interfered with, and there seems to have been no interruption of iron manufacturing.

Perhaps one other restrictive act of Parliament might be mentioned in this connection. In 1757 the colonies were forbidden to issue paper money, and this interference with manufacturing undoubtedly hampered a flourishing colonial industry. But economists would find less to complain of in this measure than did some of the Americans.

By 1760, when the trend of American development began to point toward misunderstanding between the colonies and Great Britain, the American "plantations" had developed a surprisingly varied and profitable economic life, much of which was not directly connected with Great Britain. For the commercial aspects of these interests,

the colonists owed an incalculable debt to the First Navigation Act, which guarded them from foreign competition. It seems that the gains from this protection more than offset any losses which might be attributed to the restrictive regulations, especially since many of these were not enforced. But to the Americans the advantages accruing from the First Navigation Act were never even thought of until after the Revolution. They looked upon their trade as something for which they alone were responsible, a product of their own work and ingenuity, and they felt the pride which victors over obstacles always feel: a sense of achievement for which they were indebted to no one.

The evolution of both government and commerce in the colonies carried them away from, rather than toward, England in attitude and point of view. In case of crisis, these two vital interests would inevitably shape American feeling toward any imperial policy, political or economic. Moreover, if the proposed policy seemed to run counter to American interests, there would be nothing to lead the Americans to accept it. Bound to England by merely sentimental ties, as many thought they were, they could see these snap with comparatively little concern. The trend of American growth was turning toward possible independence, although of this trend the people were entirely unaware.

CHAPTER XI

THE WESTWARD MOVEMENT BEFORE 1770

The constitutional and economic development in the colonies furnished one part of the foundation for independence; the steady expansion toward an ever new and constantly receding frontier furnished another. The process of colonization was only begun when the seaboard colonies were established. The Americans were occupying a region that was imperial in extent, a fact of which they were becoming aware. And every additional step toward the West meant the inevitable transfer of the center of interest from Europe to America. It was not until 1815 and after that the United States definitely "turned around and faced the West," but the preparations for this significant shifting about can be traced back to the first offshoot from Jamestown. As the Americans conquered the continent, they were in turn conquered by it, and a genuine process of Americanization was successfully and unconsciously carried through. Each new stage in the process meant a new return to primitive conditions, in which the pioneers were free to work out new political and social theories.

The tidewater settlements have already been described. Coming approximately from the same stock, these first pioneers found that their environment had a pronounced influence in shaping their institutions. The New England town, with its small farms, worked by the owners, was very different from the southern county, with its large plantations, cultivated by negro slaves. And yet in both these sections, even as late as 1750, the people were still predominantly European in point of view.

Beyond the tidewater regions lay the so-called Piedmont. In this section, running from Maine through Vermont, New York, and Pennsylvania south to Georgia there was gradually built up a new society, farther removed from Europe, both in distance and in mental attitude, and still farther modified by American conditions.

The same causes sent settlers into this upland region which had sent the first Virginians beyond Jamestown, and the Puritans, malcontents and others, into Rhode Island and Connecticut. People

were attracted by cheap land, which was becoming a thing of the past in the tidewater. Both the discontented and the genuinely ambitious free laborer or indented servant saw in the frontier the land of opportunity. Moreover, in addition to a steady stream of recruits from the older colonies, there was a steadily increasing tide of new arrivals from Europe, attracted to the relatively unsettled regions by the lure of economic independence and political freedom.

Reports concerning the value of this back country were circulated through the colonies by fur-traders, who had ample opportunities to estimate its possibilities, and by official explorers, sent out by colonial governors or by colonial land companies. The vision of the great West was always unfolding before the eyes of men of imagination, and the tales brought back were enough to inspire anybody still possessed of the spirit of youth. Almost on the heels of the explorers followed the cattlemen, in search of free grazing lands, just beyond the edge of the established settlements.

Even by the last quarter of the seventeenth century the westward stream had grown large enough to bring about serious contests with the Indians. And this fighting was not sporadic attacks and aimless battles. It was a war of extermination, as both sides well knew. Farm and fur-trade could not exist together, and the fur-trade had to go. As it receded westward, so too did the Indian barrier. King Philip's War in New England, and the Tuscarora War in the Carolinas freed those sections from Indian danger. So by the early years of the eighteenth century, tidewater and Piedmont were fully opened to settlement. This process of removing the Indian menace had to take place over and over again, on each new frontier, until the whole country was occupied. It is more than a coincidence that the frontier line disappeared from the census maps in 1890, the year of the last Indian war.

Throughout the eighteenth century, there was a steady migration from the older colonies and from Europe into the back country. In 1690, beginning at the north, there were settlements only along the rivers in what is now the state of Maine, while Vermont was still unsettled. In New Hampshire there was no occupied country beyond a line drawn twenty-five miles from the coast. Massachusetts had one block of settlements reaching fifty miles back from the coast, and another in the Connecticut valley. By 1760 central Massachusetts and the Berkshires were occupied, New Hampshire was filling up, and

there were numerous towns in Vermont. This region, by the way, was typical frontier country during the generation before the Revolution. Land grants were made by the governors of both New Hampshire and New York, and the two groups of settlers carried on a small scale war, to clear up their titles. Taking the law into their own hands, "Green Mountain Boys" threatened, flogged, and occasionally shot the "Yorkers." When the Revolution came, the Vermonters set up a state government of their own, and for the next fifteen years vainly petitioned Congress for recognition.

In New York the settlements followed the Mohawk valley back toward the Great Lakes, and in Pennsylvania the Piedmont filled rapidly, especially after 1725.

In the South there were two lines of settlement. Pioneers from the Tidewater colonies, and newcomers from Europe passed on through the occupied territory to the open spaces beyond. Then, thousands of Scotch-Irish and Germans, entering at Philadelphia, moved first into the upland regions of that colony, and from there, down the Shenandoah valley in Virginia, and on into the Carolinas and Georgia.

GERMAN IMMIGRATION

Moved by political, economic, or religious discontent, the Germans began to come over in large numbers by 1710, and by 1730 there were over twenty thousand, mostly in the western part of Pennsylvania. By 1756, about seventy-five thousand Germans had arrived. Some followed the valleys into the South, while others remained in Pennsylvania, where their descendants, incorrectly labelled "Pennsylvania Dutch," live to this day.

SCOTCH-IRISH IMMIGRATION

At about the same time, 1715, a heavy emigration started from Ireland, consisting both of Protestants of Scotch ancestry, from the Ulster counties, and of Catholic Irish. Irish farmers found their prosperity threatened, if not ruined, by the British commercial regulations, and the artisans complained about the British restrictions on woolen manufactures. Furthermore neither Catholics nor Presbyterians cared to support the Anglican Church in Ireland. Part of this stream moved on away from the coast, to settle in Worcester, Warren, and Pelham in Massachusetts. Some followed the Connecticut valley toward the north, and settled in Windsor

and Orange counties in Vermont, and in Grafton County, New Hampshire.

Larger numbers went to Pennsylvania, settling in the Susquehanna Valley, and then spreading out over the western sections of the colony, as the Germans were doing. Then, by 1735, the Scotch-Irish began moving down the Shenandoah Valley. Some finally settled in what is now West Virginia. Others drifted on, and between 1740 and 1760 they made widely scattered settlements from Virginia to the mountains of northern Georgia.

Attracted either by rumors or by hope of better farm land in these mountain valleys, the more venturesome pioneers started little eddies of settlements at scores of out-of-the-way, inaccessible spots in this new country. In Pennsylvania and Virginia they continued to develop, as the surrounding country became prosperous. In the Carolina and Georgia mountains they stood still, largely because they could find no outlet for their produce. Thus, isolated from the rest of the world, they and their descendants preserved, unintentionally of course, the primitive conditions of the frontier. Even late in the nineteenth century families in these sections were living as their great-grandfathers had lived, when the country was new. The houses were frequently one-room cabins, sometimes with a loft overhead, sometimes without. In these, families of anywhere from eight to a dozen or more children would be brought up. Food for the family was raised, in part, and in part killed in the woods. And along with the primitive cabins there is still preserved in the isolated sections even the language of these eighteenth century pioneers. Verb forms, such as "holp," instead of "help," for example, can be heard even to-day. Moreover, some of these mountaineer cabins conceal curious reminders of better days and of a higher level of civilization. Families, not one member of which can read, sometimes show to curious visitors, perhaps a volume of Horace or Vergil, or a rare copy of *The Faery Queen*, brought over from Scotland or Ireland, carried along with a few other treasures on the trip from Pennsylvania to a cabin not far from the great modern hydro-electric power plant at Tallulah Falls, Georgia. Or again, in some of these families, isolated from the rest of the world for three generations, there still survive some of the old arts and crafts of the eighteenth century, such as the weaving of blankets and bed-spreads, in old patterns. Still more rarely, visitors find an occasional piece of genuine willow-

ware china, a product of eighteenth century England, in some way saved from destruction. These scattered memorials establish a clear connection with the great eighteenth century migration, and with a people to whom these mountain valleys still held out the untarnished promise of the great West.

So by 1750, stretching from Maine to Georgia, there was in existence a back country district territorially distinct from the Tidewater. In this region could be found a population radically different from that in many of the older sections. Here were people of slender means, hardened somewhat by contact with an untamed environment, tilling their small farms with their own hands. They were independent of labor, either slave or hired, and even more independent of the conventionalities of civilization. It was a democratic society, with all the members on the same level, tolerant of much that the aristocratic commercial centers spurned, made up of self-reliant, self-respecting frontiersmen, undergoing a transformation into Americans.

Like every succeeding frontier community, the men in the Piedmont made up a debtor society, interested in a means of escape from the burdens of mortgages and interest. On every frontier, in varying degree of course, can be found that enthusiasm for cheap money which was still as late as 1896 a prominent factor in American politics.

It is not strange that the older, tidewater society paid relatively little attention to this new section farther west. Consequently, in matters of government, the frontier found itself generally neglected and unrepresented. This situation eventually led to a determined effort on the part of the frontier to secure a place in the political system, and to an equally determined effort, on the part of the tidewater, to checkmate these attempts. So it happened that in all the colonies from Pennsylvania south, the eighteenth century was marked by sectional conflicts between the East and the West, the object of which was the control of the government. The East was not at all willing to see the balance of political power pass to the Piedmont and beyond.

The grievances of the frontier were not confined to shortage of money and to exclusion from due share in the colonial government. In addition to these they found fault with the land laws, which they insisted were made for the rich, or at least for long-settled communities, not for newly built areas. Likewise they found the system of

administering justice a heavy burden to them. Oftentimes a vast area would be included, for administrative and judicial purposes, in an older county, the seat of which might be hundreds of miles from the homes of the pioneers. The crowning example of this system occurred during the Revolution, when Virginia organized the whole Illinois Country into a Virginia county! Courts were too far off, and, in the case of actions for debt, lawyers and judges were inclined to show little sympathy with the frontiersman.

THE OHIO VALLEY

While these settlements in the Piedmont were in progress, the more enterprising promoters of expansion were already investigating the country west of the Alleghenies. As early as 1716, Governor Spotts-wood of Virginia led an exploring expedition into the West, and in his report he urged that settlements be established in the Lake Erie region, and that special efforts be made to fortify and defend the mountain passes. His proposals were not carried out, but numbers of explorers and fur-traders and even some prospective settlers had crossed the Allegheny barriers before 1755. Before this date there is evidence of a very lively interest in this "new" West, especially in Virginia. Acting on the reports of fur-traders and explorers, groups of land promoters, speculators, or whatever they may have been, were preparing to exploit parts of the region.

In 1747, a combination of wealthy Virginia planters and British financiers, known as the Ohio Company, petitioned for a half million acres on the upper Ohio. The Board of Trade looked into the matter, and, in giving its full approval, declared that the settlement of that region would be beneficial to both American and British interests. Consequently Lieutenant Governor Gooch was ordered to make the grant.

The company began operations at once. Surveyors were sent in to map the country, trade with the Indians was started, and efforts were made to found settlements there. But the government of Virginia was openly opposed to the projects of the company, not because it disapproved of plans for opening up the West, but because it was directly interested itself, and had already begun to make grants there. In 1745 John Robinson, the famous Speaker of the House of Burgesses, with some of his associates, received a grant of one hundred thousand acres, and by 1757, Virginia had granted

about two million acres to promoters and speculators in the Ohio Valley.

These efforts could not fail to attract the attention of the French, who were already established in the St. Lawrence and Mississippi valleys, and in the lake region, and who were at this time planning to seize the Ohio valley. Although this will be discussed at length later, it may be noted in passing that this situation gave George Washington his first important public mission. In 1753 Governor Dinwiddie sent him into the valley to warn the French to keep out. Dinwiddie himself was anxious to meet the French threat with force, and in February 1754 he issued a proclamation, urging men to enlist for service in the West, and promising to all volunteers grants of land in the Ohio valley. This proclamation furnished the basis for subsequent claims put in by Virginia soldiers, in whose rights George Washington was actively interested.

In the meantime, promoters in other colonies were becoming interested in the prospects in this region. Philadelphia merchants, unwilling to see Virginia monopolize the new territory, were planning to send fur-traders into the valley, and Benjamin Franklin tried to arouse enough interest to bring about the establishment of new colonies there. The outbreak of the Seven Years' War put a temporary stop to all those plans for pushing the settled areas over the Allegheny Mountains, but after the English captured Fort Duquesne, in November 1758, the Ohio Company and other parties all showed a lively interest in land grants and settlement. To the Americans the West had long been the land of opportunity, and there was no thought of holding back merely because of a range of mountains.

If democracy existed at all in these two widely different communities, tidewater and Piedmont, it was to be found in the latter. Equality of economic condition and of opportunity, plus hard work, made for political equality. In the older sections there was no democracy during colonial days. Every colony had its ruling class: merchants in New England, merchants and great land holders in New York, merchants in Pennsylvania, and planters in the South. By means of property qualifications they kept laborers and tenants away from the polls, and by means of social distinctions and discriminations they kept the fact of inequality always in evidence. Democracy was not an importation from abroad, but a product of the frontier. As for liberty, it seemed clear that the ruling class

defended their own "against the encroachments of their equals in England, without sharing it with their inferiors in the colonies."

Without the impetus of the West, exerted both directly and indirectly, it is more than doubtful if the Revolution would have occurred. Many of the causes of this movement had their origin in western problems, such as the notorious Stamp Act for example, and it was from the Piedmont, rather than from the Tidewater, that the greatest strength of the movement was derived. But before that chapter in American growth can be covered, it is necessary to see how the expulsion of the French completely altered the relations between the colonies and England.

CHAPTER XII

THE EXPULSION OF THE FRENCH

Because of the tendency of the British colonies to expand into the West, they would sooner or later have come into conflict with the French, whose settlements, or rather fur-trading posts, bordered the whole northern and western frontiers in an arc reaching from the mouth of the St. Lawrence to the Mississippi. It seems certain that the contest for possession of the Ohio valley would have come anyway, even if both sets of settlements, French and English, had been entirely independent of Europe. If wars are ever inevitable, those are most certainly so which result from a crossing of the natural lines of expansion of two energetic, aggressive peoples. But the American and French colonists were not independent of Europe, and therefore their own quarrels were intensified by the long-drawn-out controversy between France and England. From the accession of William of Orange in 1689 to the Peace of Paris in 1763, or perhaps better until 1815, those two governments were engaged in a struggle for commerce and colonies. There were intervals of peace between those dates, to be sure, but they were only truces, during which one or the other, if not both, combatants could prepare for the next plunge. In these contests, there were always two sets of issues involved, one bound up with the balance in the New World, the other with the balance in Europe. Thus the lack of stability in European relationships subjected the Americans to more than one aspect of the "Gallic peril," and made them dependent upon England for protection. The constant pressure of a common enemy and the continuous need of help served to conceal from almost every one, on both sides of the Atlantic, that steady growth toward national maturity described in the preceding chapters.

The expulsion of the French from North America, the result of the Seven Years' War, was the biggest single factor in American colonial history, for it made independence a possibility. Furthermore, the war served to reveal more clearly than ever before both the lack of imperial loyalty in the colonies and the startling weaknesses in the

whole imperial system. With the traditional danger gone, it is not surprising that the British officials should have attempted to solve the problems brought to light by the war; in doing so, they made possible the loss of the colonies.

FRENCH COLONIZATION

Perhaps the germs of Anglo-French rivalry should be sought back in the days of James I and Henry IV, for Quebec was founded the year after Jamestown. Champlain had begun his explorations along the St. Lawrence in 1603. During these years of beginnings, he gave the Iroquois Indians their first sight of firearms, and by unnecessary shooting, he made them the bitter enemies of the French. As a result, when the French tried to seize northern and western New York, they found the Iroquois always ready to block their way.

In the course of the seventeenth century the French established their centers at both Quebec and Montreal, and worked back toward the Lake region. Here widely scattered, thinly populated fur-trading posts, like Fort Frontenac at the outlet of Lake Ontario, Niagara, Detroit, and others strengthened their hold on the country, and at the same time revealed the true nature of the French enterprise. They were not interested in farms, but in furs, so they could cultivate the friendship of the Indians—as they did after Champlain's unfortunate blunder with the Iroquois—instead of exterminating them, as the English farmers not infrequently did. The French preferred to keep the virgin territory unspoiled. At the same time, they brought spiritual blessings in the introduction of the Roman Catholic faith, which the Indians adopted as the half-savage Franks under Clovis had done in their day.

Toward the end of the seventeenth century, La Salle began to investigate the possibilities along the lower Mississippi, the same region that Spanish explorers had discovered, and virtually abandoned a hundred and fifty odd years before. In 1682, the great Frenchman built a fort at St. Louis, thus taking the first step in the project of linking up the St. Lawrence and the Lakes with the Mississippi. Settlement in this newer part of New France, or Louisiana, as it was called, came slowly. New Orleans was not founded until 1718, and by 1750 the region could boast only six thousand inhabitants, two thousand of whom were negro slaves. The others were

mostly officials, traders, soldiers, or missionaries; real home-builders, of the type so common in English settlements, were rare.

Champlain and La Salle were the founders of New France; the builders of it were Louis XIV; his famous financial adviser, Colbert; and the agent of these two, Count Frontenac, governor of Canada from 1672 to 1698, with the exception of the seven years before 1689. Supported by his superiors in France, Frontenac aimed to enlarge the French colonial holdings, and to increase the strength of his army. As a means to the first end, he cultivated the Indians in the Ohio valley, and made a vigorous effort to win the Iroquois over from their English connections. While the English were establishing themselves on the seaboard, the French were looking toward the control of the great central valleys of North America. In their plans, the Ohio valley played a conspicuous part because it furnished a much shorter route from Canada to Louisiana than that around by the Great Lakes.

Signs of friction between the expanding interests were not slow in appearing. One reason for the establishment of the New England Confederation was to provide for defense against possible French forays down the Connecticut valley. Then with the establishment of the Hudson Bay Company in 1670, the Restoration promoters planned to secure a share of the fur-trade, by establishing a line of communication with the Lake region which should be beyond the reach of French influence. Again in 1685, Governor Dongan of New York, working with the Five Nations, had an ambitious plan to divert some or all of the fur-trade from Montreal to Albany. This plan failed, not because of any inherent unsoundness, or lack of power, but largely because the New England colonies would have nothing to do with it. On account of the absolute necessity of co-operation, Dongan had to abandon the enterprise. It was this policy that was closely bound up with the Andros experiment in New England.

ANGLO-FRENCH WARS

But these thrusts were merely preliminary and experimental. In 1690 Louis XIV became involved in the third one of his wars, the War of the League of Augsburg, or of the Palatinate, as Europeans describe it, while the Americans prefer to call it King William's War. Frontenac had his eyes fixed on the Hudson River and New York,

by no means unmindful of the English efforts to deprive the French of the fur-trade. He sent parties into both New York and New England, while the English and Americans tried to turn his attention elsewhere. A combined force of English and colonial troops actually captured the great French naval base of Port Royal, in Nova Scotia, though another joint force failed in an attack on Quebec. In 1697 the European diplomats signed the Peace of Ryswyck, restoring all conquests, and bringing back the *status quo*.

The New Englanders who had gloried in their capture of Port Royal naturally felt that their interests and well-being had been sacrificed in the game of continental diplomacy, which concerned them not at all. It is not surprising that they resented and failed to understand the surrender of Port Royal. To them the American end of the conflict was more important than the European. To England, on the other hand, this contest in North America was only one of a number. She had to meet the French threats in India, Africa, and the West Indies, as well as in Europe and North America, and her policies sometimes included all these problems at once.

Four years after the Peace of Ryswyck, Louis XIV took the risk of another war, the fourth on his list, and, as befitting his last, the longest and most costly for him. This was the War of the Spanish Succession, or Queen Anne's War in North America, a contest in which the balance of power in Europe was hopelessly entangled with problems of commercial and colonial supremacy. The war was renewed in Nova Scotia, along the northwestern frontier, and in the South, because Spanish Florida and the Carolinas became involved. By the Peace of Utrecht, signed in 1713, the English were allowed to keep Acadia, or Nova Scotia, including of course Port Royal, now Annapolis, which they captured for the second time. Likewise they got Newfoundland, and a clear title to the Hudson Bay region, while the French were compelled to recognize the Iroquois as English subjects.

In addition to the territorial provisions of the Peace of Utrecht, there were two important commercial grants, concessions which England secured from Spain. England received a monopoly of the slave trade, and in addition the right to send one ship each year to the Spanish Main, to engage in general trade within the limits of the long-standing Spanish monopoly. These provisions go far toward explaining why the War of the Spanish Succession proved to be the

forerunner of still greater contests to come. English merchants could not sell slaves in Spanish ports without getting into difficulties with the local officials. Furthermore, the privilege of sending one general trading vessel each year was stretched to cover a steadily



North America in 1713

increasing volume of trade with the Spanish colonies, most of which, from the Spanish point of view, was clearly illegal. All this meant trouble between English merchants and Spanish port officers. Had it been isolated from other troublesome matters, this friction would not necessarily have led to war, but sooner or later it was almost certain to become bound up with the general diplomatic tangle in Europe. In 1733 the Spanish and French governments united in the so-called Family Compact, an alliance aimed primarily at England, and thus another step was taken toward the next war. Walpole, the English prime minister, worked for peace, and thanks largely to his efforts, hostilities were staved off until 1739. In that year,

however, the tension between English traders and Spanish officials finally snapped. The war that followed is generally known as the War of Jenkins's Ear, so called in honor of one of the sufferers in the trade referred to. Captain Jenkins, otherwise unknown to fame, was so unfortunate as to have his ear sliced off by a Spanish sword. Carefully treasuring the detached organ, so the story goes, he exhibited it with telling effect on his return home, and by so doing aroused a demand, or furnished the pretext, for a new war with Spain.

This contest was soon merged into a much larger one, the War of the Austrian Succession, in which the governments were struggling with the regular combination of issues: European balance of power, commerce, and colonial possessions. In Europe it was among other things a war of Prussia, assisted by France, against Austria, assisted by England. Frederick the Great wanted the province of Silesia, while Louis XV wanted the Austrian Netherlands. In North America the contest was known as King George's War. Perhaps the most spectacular episode in the American part of it was the capture of the French stronghold at Louisburg, the substitute for Port Royal. This was taken in 1745, by colonial forces under the command of William Pepperell, in an expedition organized by Governor Shirley of Massachusetts. Shirley tried to persuade Newcastle, Walpole's successor as head of the English Cabinet, and owner of the Whig majority in Parliament, to undertake a campaign for the conquest of Canada, but Newcastle lacked Shirley's vision.

In 1748 this war closed with a truce even more inconclusive than some of the others. The Peace of Aix-la-Chapelle provided for a mutual return of conquests—with the exception of Silesia, which the astute Frederick the Great was allowed to keep. Hence the colonists, still flushed with their great exploit of 1745, saw Louisburg go back to France, in return for the French surrender of Madras. From the standpoint of the English Cabinet, the bargain was a fair one. But the colonists had no appreciation of the imperial issues involved, and, being totally indifferent to India, they looked upon the surrender of Louisburg as a dead loss. For the second time they felt that they had been cheated out of their just gains by scheming politicians, men who were not only corrupt, but in American eyes, both stupid and blind.

Thus the Anglo-French contest in North America was made more rather than less serious by the return to the *status quo*. Duly restored to Louisburg, the French were not unmindful of the English grip on

Annapolis, their old naval base of Port Royal. Again, the outposts of the two colonial systems nearly touched in the Lake George region, in New York. The French had a fort at Crown Point, while the English had one at Saratoga, or did have until they abandoned it in 1747. Then, in the Great Lake section, the French posts at Frontenac, Niagara, and Detroit were menaced by the English establishment at Oswego, on Lake Ontario. [See map, p. 123.]

But between 1745 and 1755 the real center of interest, in North America, was the Ohio valley. In the preceding chapter reference was made to the activities of the Ohio Company and other groups of promoters. Naturally the French did not see fit simply to sit back and watch the English occupy this region. They saw clearly enough that, if successful, the English thrust westward through the Ohio valley would be a constant menace to the French hold on the Lakes, if not on Canada itself. In 1749 Duquesne, the governor of Canada, sent a small detachment to hold the disputed territory. Then, in the spring of 1753, with a view to seizing the strategic point at the junction of the Monongahela and the Allegheny Rivers, the beginning of the Ohio, the French began to extend their fortifications.

Alarmed at these significant measures, and urged on by a letter from Holdernesse, the British Secretary of State for the Colonies, Governor Dinwiddie of Virginia decided to register a formal protest. In November 1753, he sent George Washington to remonstrate with the French, on the ground that they were occupying English soil. Washington spent the winter on this journey, which took him as far north as Lake Erie, without getting anything more than a courteous announcement that the French would not withdraw. In the meantime, Dinwiddie sent a small force to build a fort at the beginning of the Ohio. In the spring of 1754, these Virginians were defeated and driven out by the French, who finished the fort themselves, calling it Fort Duquesne. Washington went to the rescue of the Virginians, but after a preliminary victory, he was compelled to surrender to the French. The long-expected war was on.

THE ALBANY CONGRESS

In the meantime, the Board of Trade had been gathering information about these developments in North America, and trying to formulate an effective policy with reference to them. In September 1753, the Board directed the governors of New Hamp-

shire, Massachusetts, New York, New Jersey, Pennsylvania, Maryland, and Virginia to arrange for a meeting with representatives of the Six Nations. The purpose of the proposed conference was an alliance between the colonies and the Indians. On June 19, 1754, delegates from the colonies named above, except New Jersey and Virginia, plus delegates from Rhode Island and Connecticut, met at Albany, New York. The events of that very spring furnished the clearest proof that action was needed, for by the time the "Congress" assembled, Washington had already been defeated at the forks of the Ohio, and the French were securely established at Fort Duquesne. The advance of the French, and the lack of any visible signs of colonial coöperation, had already created a distinctly unfavorable impression in the minds of the Iroquois. "Look about your country and see," said Hendrick, the Mohawk chief, to the delegates at Albany; "you have no fortifications, no, not even in this town. It is but a step from Canada hither, and the French may come and turn you out of doors." Not even these steadfast allies of the English cared to tie themselves to an obvious loser at the start.

So the question of an alliance with the Indians was inseparably bound up with the issues of colonial defense and colonial union. All these topics were discussed at length, but action proved to be difficult, because the delegates had not been given sufficient authority. Those from Massachusetts alone were empowered to enter any form of union; the others were authorized to discuss Indian affairs only. But, thanks to the efforts of Benjamin Franklin and Governor Shirley, a plan of union was approved by the Congress.

This plan provided for a chief executive over the colonies, known as the president general, to be appointed and supported by the Crown. Then there was to be a legislature, or "Grand Council," consisting of forty-eight members, chosen by the colonial legislatures. The basis of representation was population and wealth. The Council was to exercise general oversight of Indian affairs and of war; it was to have authority to raise and pay troops, build forts, equip a colonial navy, and to make the necessary laws, and levy the necessary taxes, for putting its policies into effect.

The plan was carefully worked out, and it had certain obvious merits, not the least of which was the arrangement for the participation of both the interested parties, England and the colonies. But from the American angle there were patent defects, and these made

impossible even a trial of the experiment. It was plain, for example, that the plan aimed to have the colonies assume a much greater portion of the cost of their own defense than they had ever done, and they demurred. What was the use of spending their own money when the English tax payers might carry the burden? Furthermore, the notion of delegating to any authority any measure of control over taxation was contrary to American political theory. The center of the colonial constitutional system was the local legislature, and it required a revolution in more senses than one before the idea of a central government could even be tolerated. The colonial legislatures refused to ratify this part of the work of the Albany Congress, and by so doing they refused to take the most obvious step in the direction of adequate defense. As a result, concerted action became practically out of the question, and had it not been for the work of the British government, the French would have been able to clinch their hold on the Ohio. The Americans were willing to accept protection, but not to assume the burden of defending themselves.

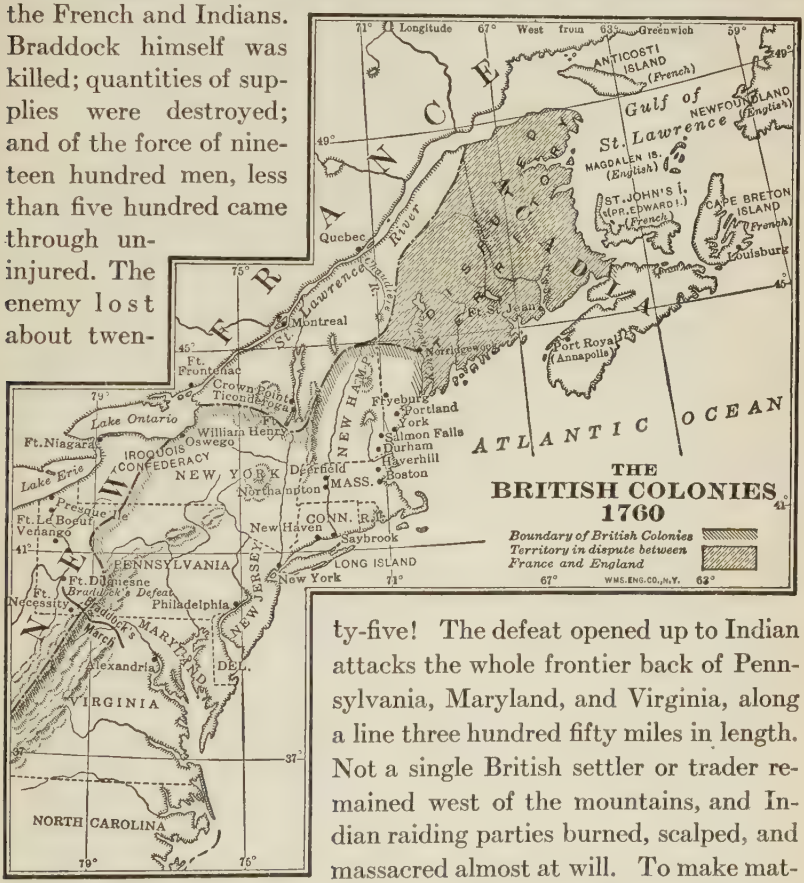
The British government never took any formal action on the Albany Plan, but in August, 1754, the Board of Trade submitted a plan of its own. This called for meetings of commissioners from the various colonies, to be appointed by the governors. These commissioners were to look after matters of interest to the colonies as a whole, especially this very question of defense. It, like the Albany Plan, remains simply a historical curiosity.

These plans are interesting in connection with the story of American growth, because their failure shows how far removed the colonists were, in 1754, from any idea of union and a central government. The later theory of "states' rights" had roots reaching back almost to the beginning of the English plantations.

The refusal of the American governments to provide the machinery for common action made it necessary for the English Cabinet to meet the French menace. Its program called for the capture of Forts Duquesne, Niagara, and Crown Point, and the elimination of French adherents in Nova Scotia. At the same time, the navy was to be used to prevent French reinforcements from reaching Canada. Admiral Boscawen's failure in this part of the campaign came dangerously near to presenting the French with the Ohio. As it was, the English suffered a series of reverses in the early part of the war sufficient to discourage any ordinary group of government officials.

THE SEVEN YEARS' WAR

The first of these defeats was that of General Braddock. The slow-moving British force, trying to conduct the campaign after the manner approved in Europe, was caught in a lively forest battle with the French and Indians. Braddock himself was killed; quantities of supplies were destroyed; and of the force of nineteen hundred men, less than five hundred came through uninjured. The enemy lost about twenty-five! The defeat opened up to Indian attacks the whole frontier back of Pennsylvania, Maryland, and Virginia, along a line three hundred fifty miles in length. Not a single British settler or trader remained west of the mountains, and Indian raiding parties burned, scalped, and massacred almost at will. To make matters worse, in the summer of 1755, the English and colonial attacks on Crown Point and Niagara also failed. Small wonder the French were enthusiastic over their successes. The English colonists outnumbered them fifteen to one, but because of colonial inability to get together, the French forces were far superior.



All this had taken place before there was any regular declaration

of war between France and England. This was finally made May 18, 1756. In Europe the actual proclamation of hostilities was preceded by one of the most interesting "diplomatic revolutions" in all history. The French government, alarmed at the menacing rise of Prussia—and according to rumor, mortally offended because Frederick the Great had named his lap dog " Madame du Pompadour "—joined its traditional enemy, Austria, and also Russia and Poland, against Prussia and England. The war that followed, the Seven Years' War, stretched from North America and the West Indies across Europe to India.

The formal declaration of war did not put an end to the series of reverses in North America. In 1756, the English lost Oswego, and in 1757, an expedition against Louisburg failed dismally. About the same time, the French seized Fort William Henry, on Lake George.

At that point William Pitt came to the rescue. Convinced that he alone could save England, this conceited, irascible, gouty genius, who could never get along with any of his colleagues, took full charge of the Cabinet and of the war. In spite of his unlovable personality he had the knack of inspiring others with some of his own energy and enthusiasm. Under his driving power, not unlike that of Roosevelt or Lloyd George in more recent years, the English began to push the French back. Pitt appointed new generals, among whom were Amherst and Wolfe, and by 1758, the value of the new management was demonstrated. Louisburg was taken, next Duquesne, and finally Fort Frontenac on Lake Ontario, all in this one year. The capture of Fort Frontenac broke the main line of communication between Canada and the French posts in the West, and, as a result, the whole chain of forts in the Ohio valley had to yield. By the end of 1758, French power in the West was definitely broken. In 1759, Wolfe won lasting fame for himself by the maneuver which led to the capture of Quebec, the strongest of all the French positions in the New World. The capture of Montreal in 1760, broke the power of the French in Canada, as that of Fort Frontenac had already done in the West. In that year, so far as North America was concerned, the Seven Years', or French and Indian War, was over.

In the West Indies and in Europe hostilities continued until 1763. Spain entered the War in 1762, and the English thereupon took advantage of the chance to seize Cuba. Pitt, the great "organizer of victory," hampered by the peace policy of the new king, George

III, and full of wrath at what he regarded as the bungling of the king's chief adviser, the Earl of Bute, had resigned in 1761. After the usual amount of preliminary jockeying the war was finally brought to an end by the Peace of Paris. Under this treaty, England secured Canada, and all the French possessions east of the Mississippi River. She likewise received the West Indian Islands of Tobago, Dominica, Grenada, and St. Vincent. From Spain, England got the Floridas, East and West, in exchange for Cuba. Louisiana, France handed over to Spain.

The Peace of Paris marked the end of the long contest between Great Britain and France for the control of North America; and the promising beginnings of a French empire in that part of the world were all swept away. The reasons for the failure are to be found partly in the lack of resources in France itself, and partly in the motive back of her colonial policy. As a nation, France lacked the man power to build up populous colonies, and also the industrial strength to keep them going. Besides, the aim of the French in North America was not farming, but furs. The development of any extensive agricultural colonies would inevitably have driven the fur-trade back, because its prosperity was greatest in a virgin country. Without agriculture as a foundation, it was difficult to build large settlements in the climate that prevailed in most of the French possessions.

As for the French colonists themselves, there were few who came consciously and purposely to settle down in the new world, as did many of the English. They were adventurers, traders, fishermen, or missionaries, lacking in the spirit back of the English settlements. There was perhaps more of the romantic and spectacular in the French experiments than in the prosaic English farming communities or plantations, but something more than romance was required to meet the kind of competition which the English were prepared to offer in the Ohio valley.

CHAPTER XIII

ANGLO-AMERICAN RELATIONS, 1755–1763

Here and there, in the long-drawn-out drama of the history of mankind, there are to be found certain striking episodes which have profoundly affected the following centuries, such as the decline of the Roman Empire, or the discovery of the new world. In this select group should be placed the Seven Years' War. The expulsion of the French from North America, by itself, was an event unusual for its significance in the subsequent history of the world; so too was the great increase in the size of the British Empire. But more important even than these was the effect of the war on the relations between the British government and the original British colonies.

Down to 1760 the colonists had felt the need of British protection against the almost constant danger of a French attack. This feeling of dependence, rather than any evident sense of loyalty, had kept the Americans within bounds. Once the French menace disappeared, the chief bond between colonies and Empire suddenly, and obviously, snapped. During the war, and especially after it was over, both British and Americans devoted considerably more thought than ever before to the nature of the imperial connection. The imperial system had never been wholly satisfactory, but the activities of the Americans from 1754 to 1763 convinced almost every Englishman who knew anything about the colonies that a thorough overhauling was necessary. By 1760, therefore, the Cabinet was considering certain changes in its colonial policy. Thus it happened that instead of looking upon England as a help, many Americans began to consider her as an outside power, one that prevented the colonies from developing freely and naturally, in their own way. It was the effect of the attempted alteration in British policy upon the colonial state of mind that led directly to the Revolution.

COLONIAL CONTRIBUTIONS TO THE SEVEN YEARS' WAR

Among the problems of the British government which had remained unsolved ever since the seventeenth century, one of the most im-

portant was the subject of imperial defense. And it must be said that the Seven Years' War held out very little hope of a satisfactory solution; on the contrary, it served to reveal more clearly than ever the glaring strategic weaknesses in the prevailing system. The colonial governments were organized primarily, in fact solely, for the transaction of local business. Because of this very fact the men who were engaged in running them, even the royal governors in many cases, were so deeply involved in petty issues that the larger matters of imperial policy never came within their range. Moreover the executive branches of the colonial governments, upon which would naturally fall the responsibility of acting in crises, were so muzzled and tied down by the legislatures that they had neither initiative nor power. Then, to make matters worse, all the colonies were jealous of each other, so much so that any common action seemed out of the question.

Under these circumstances, the colonies were not qualified to embark on any extensive military enterprises. The question of voting even a small sum of money, or of raising a handful of troops regularly resulted in weeks, if not months of debate, and, more often than not, in a long dispute between governor and assembly over constitutional issues. It was to get around these sources of weakness that the Albany, and Board of Trade, plans of union had been evolved, and the failure to put them into effect served to emphasize anew the almost hopeless defects of the colonial system.

Further light was thrown on this same problem by the acts of the thirteen governments during the war itself. In considering these, it should be remembered that the advance of the French into the Ohio valley, and the French and Indian ravages in 1755 and 1756 had menaced every one of the English colonies. It was not Englishmen who were being scalped and murdered along hundreds of miles of frontier, but genuine American pioneers. Under the circumstances, the Americans might have been expected to display a lively interest in their own defense.

Parliament had passed certain laws with reference to this very matter. The colonists were expected to furnish provisions for the British troops operating in North America, and the colonial governments were required to assist in quartering troops, and in equipping forts. It fell to the colonial governors to see that the necessary action was taken.

Of all the colonies, Massachusetts alone, under the inspiration of Governor William Shirley, really did as much as could reasonably be expected. Connecticut and Rhode Island were both afraid of doing more than their share. Of the group of New England colonies, New Hampshire was the most backward, and much of the assistance finally given came too late to be of any value. The action of the New Hampshire legislature is a good illustration of the attitude of many of the governments toward the war. The leaders in the legislature looked upon the struggle with France as an excellent opportunity to subject the governor still more completely to their control. For example, in 1756, the Assembly voted £30,000 for the Crown Point campaign, but in the bill appropriating the money, it appointed its own agents to go along to New York, to supervise the expenditure of the funds. The opportunities for obstruction in such a policy require little comment, and it is plain that anything like concentration of effort and power was rendered impossible.

Of the middle colonies New York fell far short of what might have been expected, and, in addition, its contributions were so hedged with restrictions, like those described in New Hampshire, that the help given was sometimes nearly worthless. This was true during the early part of the war. Toward the end, after the governor had surrendered to the Assembly, the grants were more liberal.

New Jersey, one of the smaller colonies, did fairly well, considerably better than Maryland, or the Carolinas.

In Pennsylvania, one of the largest and wealthiest of the colonies, the struggle between the Assembly and the proprietary governor took precedence over the Seven Years' War. In 1754, a small grant of £5000 was made, but in accordance with approved colonial custom, it was placed at the disposal of a committee of the legislature. During the rest of 1754 and the whole of the critical year of 1755, nothing else was done. Thus while the French were building Fort Duquesne, and while Braddock was being beaten, the Pennsylvanians hardly turned a hand to ward off the danger. They preferred to let the French and Indians overrun the whole frontier rather than to cooperate in any general plan of defense. The situation was so bad, when Braddock's men were getting under way, that it was almost impossible to secure conveyance for the troops, and certain Pennsylvania merchants, including even some members of the Assembly, sold powder, and other supplies, to the French and Indians.

In Maryland little was done until the governor gave way to the Assembly, and then some money was granted. But the Maryland Assembly put all Maryland troops under the direction of a committee of its own choosing, and specified the time, place, and under what commanders, they should serve. When Loudoun was the British commander-in-chief, in North America, the legislature specifically refused to allow any Maryland troops to serve under him.

Because of her numerous speculative interests in western lands, Virginia had more at stake in the contest over the Ohio valley than any other single colony. Governor Dinwiddie was clearly aware of this, and in 1753 and 1754 he exerted himself to the utmost to arouse in the House of Burgesses an appreciation of the seriousness of the coming crisis, and to induce the members to provide funds and troops for an active campaign. His efforts to secure appropriations were constantly thwarted by his opponents in the House, and his plans for striking a vigorous blow at the French had to be abandoned. In 1754 he did succeed in getting an appropriation of £10,000, placed, however, not in his hands, but in those of a committee of the House. Dinwiddie was both discouraged and disgusted at the attitude of the House of Burgesses. The following year brought no change in the situation, and the governor dissolved the House, characterizing the members as "very mutinous and unmannerly." However, as in the case of Maryland, once a more compliant governor than Dinwiddie came over, the House of Burgesses became fairly liberal. The contributions of North and South Carolina were negligible. The following table [1] gives the debt incurred by the various colonies on account of the Seven Years' War.

Mass.	£ 818,000	Pennsylvania	£ 313,000
Rhode Island	80,000	Maryland	39,000
Connecticut	259,000	Virginia	385,000
New York	291,000	North Carolina	30,000
New Jersey	204,000	South Carolina	90,000
		Georgia	1,000

The whole story makes it plain that the colonial assemblies displayed far more eagerness in winning victories over the royal or proprietary governors than over the French, and the restrictions on their grants seriously handicapped the directors of the campaigns.

[1] Channing, *History of the United States*, III, 33.

Unity of command might be imposed from above, but unity in colonial efforts was noticeably absent.

Under these circumstances, the charges of the English officials against Americans for ingratitude and indifference are not very surprising. As they saw it, the only way out was a much larger measure of Parliamentary control, supported by Parliamentary taxation, a revision of the existing relationship between colonies and empire. So the war raised the whole question of imperial reorganization, with special reference to the needs of defense. This aspect of colonial history naturally had a definite influence upon the Cabinet in their experiments with a new colonial policy.

WAR-TIME TRADE WITH THE FRENCH

The question of imperial reorganization was raised again by the continuance during the war of the trade between all the commercial colonies and the French West Indies, which had been for many years the foundation of prosperity. The merchants had been so long accustomed to selling to the French, and to buying and smuggling their molasses, that they continued it as a matter of course. Likewise the French West Indies had become so dependent upon North American food supplies that they were inclined to rely upon the same source in spite of war. Trade with the enemy had been made illegal by Act of Parliament and by act of some of the colonial legislatures, notably those of Pennsylvania and New York.

Part of the trade with the enemy was carried on with Canada. The French forces there were supplied with beef, pork, and flour, chiefly from Pennsylvania, New York, and New England. Some of these provisions were sent overland, some by way of Cape Breton. This maritime line was especially valuable, because at Cape Breton the New England skippers could pick up French molasses and sugar for their return cargoes. According to Governor Dinwiddie, who was in close touch with conditions at this time, the French expeditions into the Ohio valley in 1755 were made possible largely through these supplies from the English colonies. In other words, New York and Pennsylvania really furnished the means whereby the French defeated Braddock.

Those who were especially interested in defeating the French naturally tried to put a stop to such trade. Governor Dinwiddie urged that provisions be placed upon the list of enumerated com-

modities, so that export outside the British Empire might be forbidden. The English government was unwilling to go that far, but it did order the navy to break up the trade. In three leading commercial colonies, Pennsylvania, Massachusetts, and New York, the governments prohibited exports to the French. These efforts really amounted to little, and the trade went on. The Rhode Islanders were notorious in their open commerce with the French. Loudoun wrote Pitt that the traders there were "a lawless set of smugglers, who continually suply the Enemy with what provisions they want, and bring back their Goods in Barter for them." In 1757, the year after the formal declaration of war, Parliament passed a law prohibiting the export of provisions, during the war, to any ports outside the British Empire.

The passage of this law had no appreciable effect on the trade, and it continued to flourish, without interruption, until 1761. The French officials were glad enough to sanction the trade, even going so far as to license American ships, to protect them from the French navy. Some of the commerce was carried on openly, some under thinly veiled disguises. American merchant vessels carried passes to the French islands, under flags of truce, theoretically for the exchange of prisoners of war, actually for commercial purposes. These flag-of-truce passes became an open scandal long before the war was over. Colonial governors sold them, at first for high prices. Governor Fauquier of Virginia reported that he was offered four hundred guineas for a single one. Governor Denny of Pennsylvania sold them, shamelessly, at first at a high rate; later he made a practice of selling blank ones, for £20 apiece. These could be filled in by the purchaser, and with one of them, a captain could sail for any French port. Thus armed with a pass, with one or two prisoners of war taken on for the sake of form, colonial vessels traded openly with the enemy, and American merchants turned the war into a profitable financial venture for themselves, and for the farmers whose produce they sold. In those enterprises perhaps Rhode Island and Pennsylvania were the most active. In 1759 and 1760 the Delaware River at Philadelphia often literally swarmed with vessels, unloading cargoes received from the French in exchange for provisions. This was the main interest of a majority of the Philadelphia merchants.

Furthermore, there was a flourishing trade between North American ports and the French, carried on through the neutral Spanish

port of Monte Cristi. This town was in Santo Domingo, just over the border from Haiti, and although its political connections were all Spanish, its economic and commercial connections were entirely French. All the exports from Monte Cristi were French, all the imports destined for the French. Down to 1761, Monte Cristi imported, from British North America, grain, meat, fish, horses, lumber, British manufactured goods, and even war supplies. On one day, February 5, 1759, there were twenty-eight vessels in Monte Cristi harbor: seven from New York, eight from Rhode Island, eight from Massachusetts, four from Connecticut, and one from Virginia. During one week in 1760, an average of fifty vessels a day put in to that port, almost all of which came from the British North American colonies. Occasionally there were as many as a hundred vessels, all from the same ports, in the harbor in one day. Merchants from Massachusetts, Connecticut, and Rhode Island were the most active in that highly profitable branch of commerce.

The results of the trade were clearly evident. The regular sale of provisions, in large quantities, drained the colonies so that the English armies operating there had to be supplied in part from England, so adding considerably to the difficulty and the expense of prosecuting the war. Provisions were actually more plentiful in the French West Indies than in the English islands.

With this help secured from the American merchants, the French could keep their privateers well supplied, and they were a constant menace to English commerce. Not only were the French West Indies enabled to hold out, but according to no less an authority than Pitt himself, the war lasted three years longer than necessary primarily because American merchants frustrated the work of the British navy.

Some of the colonies were therefore in the anomalous position of fighting the French with one hand in Canada, and feeding them with the other in the West Indies. All this was borne in upon the minds of the British officials with an intense and painful realization of its meaning. It was clear that in a war which, if successful, would benefit the colonies far more than it would England, the Americans were not only indifferent in the matter of furnishing help, but actually a serious source of danger because of their commercial interests. The fundamental weakness of the British system, as demonstrated by the Seven Years' War, was the lack not so much of an adequate

means of defense, but of any spirit of loyalty to the empire. The Cabinet could not possibly refrain from making an effort to obviate the danger for the future.

WRITS OF ASSISTANCE

Even during the war itself, the British authorities tried to put a stop to intercourse with the French, and by so doing they furnished the occasion for an interesting contest between local and imperial officials, a contest that is generally described as one of the preliminary steps of the Revolution. In addition to using the navy in an effort to break up the illegal trade with the French, Pitt suggested the enforcement of the Molasses Act of 1733, long a dead letter. This levied a prohibitory duty on foreign molasses, and the collection of the tax was certain to be opposed by the American merchants. Acting under orders from the Customs Board in England, the American Customs officers began to enforce the law, with a certain amount of success, as the treasury records show. In their search for smuggled goods, they resorted to the use of so-called "Writs of Assistance," more properly general search warrants. The ordinary warrant was worthless, because it had to specify both the place to be searched, and the goods supposed to be there. By the time the officials succeeded in getting in, the place would be empty. With a Writ of Assistance, they could go anywhere. Modern lawyers agree that the use of these writs was legal. In 1759 and 1760, the Boston merchants tried to have the Superior Court of Massachusetts declare them illegal. Their real objection was that they were too effective. Two Boston lawyers, Oxenbridge Thacher and James Otis, argued the case for the merchants. Otis made a vivid appeal to the emotions of his hearers, but in spite of that he lost his case, and the Writs of Assistance were used down to the Revolution. However, even though Otis failed in this appeal, he made such a reputation for himself that he was chosen as one of the four representatives of Boston in the General Court.

This dispute between the Customs officers and the merchants lasted throughout the war, and various schemes were used to undermine the service. Frequently merchants who were convicted in the Admiralty courts of smuggling would bring damage suits against the Customs officials in the common-law courts, and the local juries would regularly bring in verdicts for the merchants.

Contests of this sort showed how the colonists felt about any British attempts to tighten up the loose joints of the imperial system. In commercial matters at least the Americans preferred to do as they pleased, regardless of the interests of the empire as a whole, and any general revision would lead to trouble.

THE WEST

Important as these matters of colonial government and colonial commerce were in their influence upon the course of the war and subsequent British policy, they were really less difficult as problems in administration and statesmanship than was the great question of the West. While the elimination of the French settled one difficulty, it raised a whole series of new ones, or perhaps one all-inclusive large one: that of imperial organization. The issues involved in this were complex enough and important enough to tax the abilities of men considerably more brilliant than those who were then in charge of British destinies.

Once the Treaty of Paris was definitely signed, the Cabinet turned its attention to the new imperial issues. In part the question was constitutional; some sort of government had to be worked out for Canada, with its eight thousand French population, and for East and West Florida with their Spanish population. If that had been all, no serious difficulties need have arisen.

Along with these matters of government was the question of the West, the whole block of territory south of Canada, north of Florida, between the Alleghenies and the Mississippi. Several of the older colonies had overlapping claims in this region, especially in that part of it north of the Ohio River. The Virginians were there, actually at work before 1755, and in 1763 they proceeded to pick up the threads of their interests which the war had compelled them to drop. First of all the Virginia troops to whom Governor Dinwiddie had promised land grants in the Ohio valley united to promote their claims, and in this work they had all the energetic support which George Washington was capable of giving. Under his leadership they sent a petition to the king, which the Board of Trade began to consider in March, 1763. The Ohio Company then sent a special agent to London, to follow up their grant. Next, in June, 1763, the Mississippi Company was founded. This included promoters from Virginia and Maryland, prominent among whom were George Washington, the Virginia Lees,

Fitzhughs, and others. This new concern sought to obtain from the Crown a grant of two million five hundred thousand acres on the Mississippi river, of which each one of the adventurers was to get fifty thousand acres for himself. In September, 1763, this company sent a memorial to the king.

These lively efforts of the Virginians and others to begin the exploitation of the coveted region were observed with considerable concern in England. Official opinion, and that part of public opinion which was at all interested, was divided. One group, including the influential Hudson Bay Company, advocated a policy somewhat like that of the French, that is, development of the fur-trade. To this end they opposed settlements beyond the Alleghenies. Another group urged the promotion of populous colonies, to serve as markets for British manufactures. But, while this second group was interested in developing the new regions, the Englishmen in it were opposed to letting the Americans get all the profit from land sales. If exploitation was to take place, let it be under the auspices of the whole empire, rather than of one or two especially favored colonies. The imperial government was the proper organization to promote new plantations.

PONTIAC'S CONSPIRACY

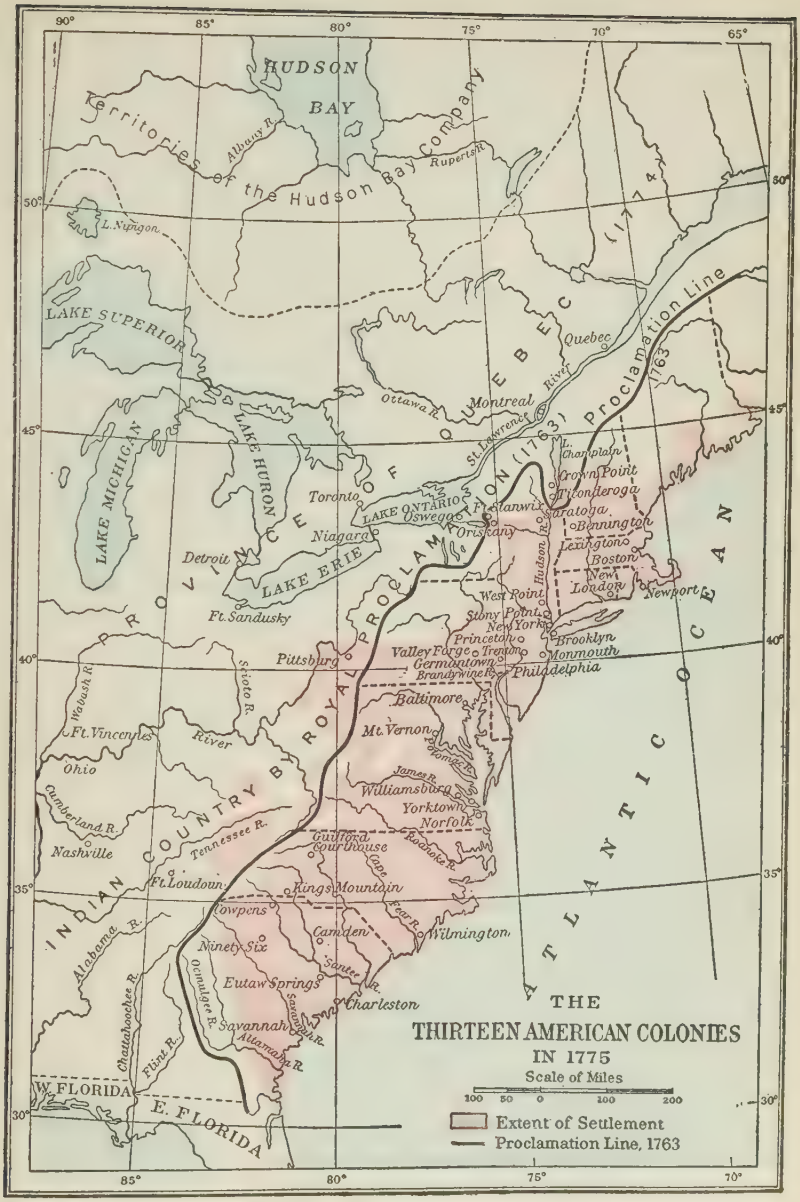
Unfortunately, these important questions could not be considered solely on their own merits. In England there were political entanglements which stood in the way of an impartial solution, while in America the whole question of policy was bound up with the puzzling Indian problem. The Indians realized that English control of the Ohio valley would mean something very different from the easy French fur-trading system. It was the custom of the English to stay, to cut up the country into farms, and to drive out the game, the fur-bearing animals, and the Indians too. Beside this fundamental source of friction, there was the attitude of the British traders. They were not unwilling to fleece the Indians, and of course that made for anything but cordiality. Then, incidentally, the French were constantly encouraging the Indians in their hostile attitude, by reports that the English could not hope to hold the land more than a short time, and that the restoration of French control would speedily come about.

It might have been good sense for the English to make at least a

show of conciliating the natives, but instead of doing that, the military men in charge adopted the opposite policy. General Amherst had no faith in any scheme of paying the Indians to remain quiet, so he proceeded to cut off the presents which they had been receiving. At the same time he prevented them from getting supplies of powder and lead, and he tried to make it impossible for them to get any rum. Ordinarily a humane and respectable gentleman, Amherst seems to have lost his perspective in dealing with the Indians. As one possible way of getting rid of the whole question, he expressed approval of a plan to supply them with blankets which had been used by small pox patients. Such policies as these of Amherst's were certainly responsible, at least in part, for the cordial hatred of the Indians for their new guardians.

In the presence of this situation, the Indians became thoroughly discontented, and it took comparatively little to stir them up to the pitch of war. The final impetus was given by the chief Pontiac, who possessed the traits of a revolutionary organizer. On May 7, 1763, the Indians started the uprising known as Pontiac's Conspiracy. They had planned a surprise attack on Detroit, but this failed, because the English got warning in time. But once on the war path, the Indians captured and massacred all the other garrisons west of Niagara, and during the summer of 1763 the whole Northwest was in an uproar. It appeared for a time that neither the American colonists nor the English government would have in their hands the disposal of the region. But then, as always, superior resources began to tell, and in October Pontiac asked for terms. Peace was restored in the following spring.

This Indian war, which threatened to deprive the British Empire of some of its most valuable gains under the Peace of Paris, made necessary a definite, precise statement of the western and Indian policies of the British government. As the problem was reduced to its lowest terms, two issues were revealed as needing special attention. The Indian affairs had to be organized, and here again there were serious differences of opinion in the way. Some members of the Cabinet advocated the creation of a strong, independent department for the management of all Indian affairs; others preferred to leave the whole question of Indian control to the military department; a third group suggested that the British government ignore the whole Indian question, and leave it entirely to the colonists.


HUDSON BAY
Territories of the Hudson Bay Company
Albany R.
Rupert's R.
L. Nipigon
LAKE SUPERIOR
LAKE MICHIGAN
LAKE HURON
LAKE ERIE
LAKE ONTARIO
Toronto
Niagara
Detroit
Ft. Sandusky
Pittsburg
Ohio
Wabash R.
Ft. Vincennes
Scioto R.
Cumberland R.
Nashville
Tennessee R.
Ft. Loudoun
Alabama R.
Chattahoochee R.
Flint R.
W. FLORIDA
E. FLORIDA
Ottawa R.
Montreal
St. Lawrence River
Quebec
PROVINCE OF QUEBEC (1763)
1763 Proclamation Line
Oswego
Ft. Stanwix
Oriskany
Hudson R.
L. Champlain
Crown Point
Ticonderoga
Saratoga
Bennington
Lexington
Boston
New London
Newport
West Point
Stony Point
New York
Princeton
Brooklyn
Monmouth
Valley Forge
Trenton
Germantown
Brandywine
Philadelphia
Baltimore
Mt. Vernon
Potomac R.
James R.
Williamsburg
Yorktown
Norfolk
Guilford Court House
Rowan's Exp.
Roanoke R.
Kings Mountain
Cowpens
Ninety Six
Camden
Edgar R.
Wilmington
Quindaro R.
Savannah R.
Savannah
Alatamaha R.
Eutaw Springs
Santee R.
Santee R.
Charleston
ATLANTIC OCEAN
INDIAN COUNTRY BY ROYAL PROCLAMATION (1763)
90°
85°
80°
75°
70°
65°
60°
55°
50°
45°
40°
35°
30°
THE
THIRTEEN AMERICAN COLONIES
IN 1775
Scale of Miles
100 50 0 100 200
Extent of Settlement
Proclamation Line, 1763

There was in addition, closely related to the Indian policy, the problem of regulating settlement beyond the mountains. There was a fairly general agreement that a line must be drawn, to separate the Indian country from land to be open for settlement. The location of the line was a difficult problem. Once it was decided upon, there still remained the question of whether the line should be permanent, or only a temporary part of the policy.

THE PROCLAMATION OF 1763

Under the direction of Lord Shelburne, the Secretary of State for the Southern Department, work on the formulation of a policy was started in the spring of 1763. By July, the plan was ready for publication, but on account of Pontiac's Conspiracy, its issue was delayed until October. In the meantime, a change had taken place in the Cabinet, and Lord Hillsborough put the finishing touches on the work.

On October 7, the policy was announced, in the form of the Proclamation of 1763. All the main problems were dealt with in this one document. First of all the boundaries of the new colonies were defined with as much clearness as possible. Then, the question of government for these same colonies was settled. There were three of these provinces, Quebec, East Florida, and West Florida. The government was to be of the ordinary type in operation in the royal colonies already established, as soon as the population should be large enough to warrant its introduction. Until that time, the royal governor was to have supreme authority, without any elective legislature.

With reference to the Indian problem, the Proclamation fixed the line between Indian territory and the region open for settlement at the Appalachian divide. Everything beyond was a great Indian reservation, in which white settlement was not allowed. Private purchases of land from the Indians were prohibited, and the governors in all the colonies old and new, were forbidden to make any land grants within the territory set apart for the red men. Settlers already located in the region were ordered out.

The Proclamation placed the control of the Indian trade in the hands of the Imperial government, and every trader in addition to being licensed, was required to bind himself to observe any rules that might be made.

There were certain specific blunders in the Proclamation, the chief

of which was the provision that English law was to prevail in the three new provinces. An English attorney-general characterized this as "an act of the grossest and absurdest and cruelest tyranny, that a conquering nation ever practiced over a conquered country." This blunder was rectified in the Quebec Act, eleven years later.

Among the various individual acts of the British government which may be considered as instrumental in bringing on the Revolution, this Proclamation of 1763 should be given a conspicuous place. It is the only measure which affords any satisfactory explanation of the course of the Virginians between that date and the beginning of the war; to their minds, as well as to the minds of all other Americans interested in the development of the West, it stood out as an arbitrary, unnecessary obstacle placed in the way of their natural, inevitable development.

Much of the territory set aside for the Indians was within the limits of previous grants to the older colonies, hence they were right in questioning the legal validity of that part of the Proclamation. But, grants or no grants, the Virginians had been looking forward for years to the inspiring task of opening up the Ohio valley, and the Proclamation cut squarely across all their plans and hopes. If the Proclamation held, the veterans of the Seven Years' War, and the members of the Ohio and Mississippi Companies would have to forget their dreams. It is hard to imagine any measure that could have aroused deeper and more justifiable wrath than this.

Unfortunately for the British government, much of this ill-feeling was due to misunderstanding in the colonies. The establishment of the Indian boundary line was looked upon as a tentative measure by the king's ministers. They hoped to guide settlements into the new provinces first, and then, gradually by purchase, to extinguish the Indian title in the reservation. So the obstruction of the westward advance would be only temporary. But, in accordance with the approved principles of diplomacy, the Indians had to be assured that the policy was permanent, and that the line would stay. Whatever the Indians may have been led to believe, there is little doubt that the American colonists were fully convinced, and they based their disapproval of the whole policy upon their own, rather than the British understanding of it.

There is still one more phase of this new western policy to be considered: namely the financial burdens involved. The newly organ-

ized provinces would have to be policed, and, as Pontiac's Conspiracy made plain, garrisons would have to be maintained at strategic points in the West, in order to guard against further uprisings. It was estimated that the army alone was costing the British government fully £220,000 a year more than before the war. There was too the cost of maintaining the new system of Indian administration. Now the American colonies, so the Cabinet reasoned, would eventually profit extensively from the projected development of the West. Why not, then, shift over to them some of the expenses involved, especially a part of the cost of the army and of the Indian establishment in North America?

This suggestion supplies another reason for attributing so much importance to the Proclamation of 1763. Out of the need of funds to make it effective came George Grenville's revenue measures of 1764 and 1765, the Sugar and Stamp Acts. The new plans for taxing the colonies were the product, not of any policy of tyranny, but of the financial requirements growing out of the demands of the West. It is rather curious that around these revenue measures, which in England were looked upon simply as incidents in the great general problem of imperial organization, there should have developed the first spectacular repudiation of its authority which the British government had encountered.

The developments summarized in this chapter explain why the Seven Years' War was the turning point in the growth of the United States. The Americans were freed from the danger of French encroachments; that is taken for granted. But in the efforts made to deal satisfactorily with the newly-acquired territory and new issues, the British government followed a course which aroused a storm of ill-feeling in her older colonies. Out of that bitterness the Revolution was produced.

CHAPTER XIV

EARLY STAGES OF THE REVOLUTION

It is impossible to assign the beginning of the Revolution to any particular year or decade. Traces of the state of mind which made it possible are discernible in the great Puritan migration to New England, and in the movement toward the frontier which began a short time after the first settlements were made. Both the desire and the determination to run their affairs in their own way were almost a part of Puritan dogma, while those who disliked Puritanism expressed their disapproval and went elsewhere. Colonies established by dissenters and peopled by the dissatisfied were likely to generate a sense of restlessness under any authority too obviously exercised. They were likewise not disinclined to listen to those who made a specialty of pointing out the evils amid which they were living. Given even a limited amount of genuine grievance, especially of that sort which pertains to income, and the agitator, or prophet, under whatever name he works, finds it easy to arouse the mob spirit. So in trying to explain the Revolution, it is necessary to take into account the whole story of American growth, as well as the objectionable features of British policy. As a result of this growth, as the preceding chapters show, the colonies had developed a form of government which left them with comparatively little dependence upon England, and an economic organization which seemed to American merchants to be relatively free from English connections. Under these circumstances, the substitution of any sort of more definite control, after the free and easy-going colonial policy which preceded the Seven Years' War, would naturally arouse resentment.

Reference has been made to the attack upon the Customs service in Massachusetts occasioned by the newly-formed decision to enforce the old Molasses Act, and to Otis's speech against the Writs of Assistance. This episode is typical of much that happened after 1760. Laboring under the weight of problems created by the war and by the Peace of Paris, the British officials tried experiments that were inconsistent with their time-honored policy of neglect, while the

dissatisfied colonists stubbornly refused to accept the alterations. Out of this preliminary contest in Massachusetts there developed a sort of *bloc* in the legislature, whose policy it was to oppose the royal officials in all particulars. The size of this group fluctuated from time to time, in accordance with the ebb and flow of feeling over the new British policy. A minority until 1765, it became a majority then, and remained in control of the General Court until 1771. The leaders of this party in Massachusetts were James Otis, Samuel Adams, and John Hancock. It will be described more fully later. The point here is that the attempt of the British government to enforce some of the old laws of trade marked the beginning of a political group, the business of which was opposition to imperial policies. With this organization already in existence and at work, there was little chance of success with any measure that seemed to violate American traditions.

THE "PARSONS' CAUSE"

In Virginia, the leading colony of the southern or plantation group, there were also signs of a lively party controversy in the legislature. Ever since the seventeenth century the House of Burgesses had held an important place in the social, as well as the political life of the colony. As the tidewater aristocracy developed during the eighteenth century, the members turned to politics as a means of gaining distinction for themselves. They were well-trained men, in many cases educated in English universities, able in all respects to take high rank in legislative work. Naturally men of this type were conservative, and inclined to accept the British system as they found it.

By the middle of the eighteenth century, a new element, more typically American than the Tidewater aristocracy, was demanding recognition in the House of Burgesses. This was the group of democratic representatives from the Piedmont, whose leaders were always trying to gain more influence in affairs of government, both for themselves, and for their counties. Thus there developed a kind of sectional contest in Virginia, in which each side eagerly grasped any issue to promote its own interests.

In 1765 the group of political dissenters in the House acquired a genuine leader in the person of Patrick Henry, a young lawyer who had suddenly become famous two years before. He had found his opportunity in the "Parsons' Cause," a controversy over the payment

of salaries to the Episcopal clergymen in Virginia. Under arrangements prevailing until 1758, every clergyman there received as his salary seventeen thousand two hundred eighty pounds of tobacco, regardless of the size of his parish, his own abilities, or the current price of tobacco. Since this varied from 1d. to 6d. per pound, the clergymen fared well in good years. In 1758, when tobacco was high, the Virginia legislature passed a law, ordering the payment of these salaries in money, at the rate of 2d. per pound of tobacco. In view of the fact that the market price that year was about three times as much, the clergymen felt that they were being cheated, and they carried their grievances to the Crown. The Privy Council disallowed the law, and then the "parsons" brought suit in the Virginia courts to recover all the back pay due them. In 1763 Patrick Henry was retained by one of the vestries, to oppose the claims of the local clergyman. The "parson" had all the law on his side, but Henry made such a clever appeal to the jury that instead of giving the clergyman the amount to which the law clearly entitled him, they gave him one penny. The basis of Henry's argument was a flat denial of the right of the Privy Council to disallow acts of the colonial legislature. It was on the strength of this speech to the jury that he was elected to the House of Burgesses. Once there, he seized every chance to oppose the tidewater aristocracy. Both in Massachusetts and in Virginia, therefore, the two lawyers who had come out strongly in opposition to certain forms of British authority found themselves clothed with new power as representatives of more or less powerful, cohesive groups.

REPRESENTATION IN PENNSYLVANIA

In Pennsylvania there was another type of contest, slightly different from those in Massachusetts and Virginia, but equally favorable for the capitalization of any dispute over British power. In this proprietary colony the dominant group in the government, corresponding to the tidewater planters in Virginia, was composed of the Quakers in the three eastern counties: Philadelphia, Chester, and Bucks. The opposition included the Germans and Scotch-Irish, in the western counties, and workingmen in the city of Philadelphia. The western farmers found that their natural economic connections were with the city of Baltimore in Maryland, rather than with Philadelphia, and this tended to widen the gap. Then, the Philadelphia artisans, who

did not enjoy the right to vote, felt that they were ill-treated and oppressed by the Quaker aristocracy. Thus a common grievance tied these two very dissimilar factions together.

The concrete issues in the dispute between the aristocracy and their opponents were the vitally important matters of taxation and representation. From 1760 to 1776 the struggle between the two continued, and then it was merged into the larger controversy of the Revolution.

In the matter of representation, the grievance of the western counties was genuine enough. As these newer regions increased in population, they had not been granted representation in the legislature commensurate with their numbers. The older counties, in power at the beginning, determined to keep what they had by the very simple, thoroughly undemocratic method of ignoring the just claims of the West. The following table shows what the situation was:

	Taxable Population	Numbers in Legislature
Philadelphia County	5,678	8
Philadelphia City	2,634	2
Chester	4,761	8
Bucks	3,148	8
Lancaster	5,635	4
York	3,302	2
Berks	3,016	1
Cumberland	1,501	2
Northampton	1,989	1

The three eastern counties, including the city of Philadelphia, had twenty-six representatives for sixteen thousand two hundred twenty-one taxable inhabitants, while the five western counties had only ten representatives for fifteen thousand four hundred forty-three taxables. This was the situation in 1760, and it remained entirely unchanged until 1769, in spite of the fact that the five newer counties were steadily increasing in population. In 1771, 1772, 1773, a new county was organized each year, with one representative each, so there was no change in principle until 1776. No further explanation is needed to show why the Quaker aristocracy of the East was meeting with bitter opposition.

During the early stages of the Revolutionary movement, that is,

after 1760, the Quakers joined with those in the other colonies who actively opposed the new British policy. This was especially true in the case of the Stamp Act. But these Pennsylvania conservatives soon learned that the very arguments which they were using against the authority of Parliament were being taken up by the malcontents in their own colony, and turned against themselves. The Quakers consequently came to realize that the success of the opposition to British authority would mean a corresponding success of the unrepresented western counties, and the loss of their own commanding position. Hence, when the Revolution finally came, many of the eastern aristocrats became "loyalists."

In trying to cut down the power of the eastern leaders, the Scotch-Irish and Germans evolved a political organization which, if necessary, could be used to upset British authority. Had it not been for the bitter local controversy in Pennsylvania, it is more than doubtful whether the dispute with England, in that particular colony, could have gone on. For Pennsylvania there were no serious grievances after 1770, and after the storms over the Stamp Act and non-importation, it was the unfranchised workingmen in Philadelphia and the western farmers, with their committees, conventions, and political machinery generally, that made it possible for the leaders to continue the struggle. The colonial revolution, destined to come sooner or later, thus furnished the opportunity to carry the larger movement to success.

BRITISH POLITICS

Controversies such as those just described, the combination of local political disputes with opposition to certain objectionable British measures, did not necessarily mean separation from England. To be sure they revealed a delicate situation, one that needed to be handled with extreme care, but one by no means beyond the powers of good statesmanship. But at that particular time the level of statesmanship in England was low. In order to explain the blundering in connection with American affairs throughout this period, it is necessary to bear in mind the nature of English politics during the eighteenth century. For the forty years preceding 1760 the Whigs had controlled the government. The two leading prime ministers, Walpole and Newcastle, had both used the same methods: the purchase of votes, and something not unlike bribery to retain the votes once bought. During the reigns of the first two Georges, the ministry

had formed the habit of deciding everything; and the same group of Whig politicians planned to dominate the new king, George III, in about the same way.

But whatever else he may have been, George III was no fool at the art of disreputable politics. He had no intention of letting the Cabinet lord it over him as they had over his two royal ancestors. Moreover, he was not the only politician who objected to seeing the Whigs get all the "plums" of office. Once it became clear that the king was ready to rule, he was able to recruit a number of kindred spirits, known as the "king's friends," who had no guiding principles except opposition to the Whigs and subjection to him. It was not long before Newcastle was crowded out. In 1761 the great William Pitt resigned, and Lord Bute, one of the king's friends, became one of the Secretaries of State; eventually he and the king secured a majority in the House of Commons. At this success the Whigs became furious. They had monopolized the system of rotten politics so long that they could not bear to see their preëminence disappear, and they hated George III because he beat them at their own game.

In the meantime, the Whig party was splitting up into fragments, the leaders of which were actuated largely by selfish motives. The more important of these groups were the "Old Whigs," led by Newcastle, and later by Rockingham, and including the famous Edmund Burke. Almost as important were the "Pittites," of whom William Pitt was the guiding spirit, with Shelburne second in command. There was another group led by the Duke of Bedford, popularly known as the "Bloomsbury Gang," and after them the faction led by Pitt's notorious brother-in-law, George Grenville. These were not real parties, but merely "a shifting system of unstable groups."

Because no one of these groups could get a majority, the Cabinets had to be made up of representatives from several. So, with such patchwork administrations, consistent, sensible action was virtually impossible. Upon these men of narrow minds and narrower visions, interested in the petty details of backstairs politics, fell the responsibility of dealing with all the new problems of the British Empire after 1760. As professional politicians go, they were not especially incompetent; in fact, they were excellent specimens of their kind. Furthermore, they were not tyrants. Tyranny was probably farther removed from their thoughts than anything else. The chief concern of those actually in office was to hold on to their jobs, while those less

fortunate were pulling wires to get in. Incidentally, they tried, as honestly and as conscientiously as men could, to do something worth while with those puzzling North American questions. Nothing would have pleased them better than to see the wheels of government move smoothly, because then they and their friends would find it easier to turn their offices to good account.

THE SUGAR ACT

With their North American policy duly set forth in the Proclamation of 1763, the Cabinet turned its attention to the matter of finding the necessary funds. As Chancellor of the Exchequer, George Grenville had the responsibility of suggesting sources of revenue. He knew perfectly well that the English tax payers had complained bitterly over their share in the burdens of the Seven Years' War, and as a good politician he hesitated to fasten upon them the additional cost of defending the newly-acquired territory. The tax-payers were property owners and voters, who must be kept as contented as possible. Concerning America, Grenville's knowledge was none too extensive, and his understanding was not deep enough to command respect. Why not let the colonists pay a part of the military costs of their own frontiers? In the minds of the Cabinet it was easy to join the idea of enforcing some of the old trade laws, notably the Molasses Act, to the idea of colonial revenue. By lowering the duty on molasses, and then collecting that duty, it might be easy to raise money and to cut off trade with the French at the same time, all with one law.

The Revenue Act of 1764, generally known as the Sugar Act, provided for both of these things. The duty on foreign molasses was reduced from 6d. to 3d. per gallon, with the expectation that it could be collected. To this latter end, additional measures gave more authority to the customs officials, and made stricter regulations concerning the registration of vessels.

Had Grenville been something of a statesman, he would undoubtedly have looked into that molasses trade which he was so ready to tax. In doing so, he would have discovered what every intelligent American merchant and many of the royal governors understood perfectly: that the prosperity of the middle and northern colonies depended on this very trade in foreign molasses. The British islands could not begin to supply the demand. Their entire output was only slightly over fifty per cent of the quantity carried into Rhode

Island alone, while all the colonies together used about eight times as much as the English islands produced. Moreover, the British sugar planters charged anywhere from twenty-five to forty per cent higher prices than those charged in the French islands. The trade was too important to be treated carelessly.

If Grenville had pushed his investigations a little further, he would have learned that colonial authorities considered a 3d. tax too high. They were convinced that a 1d. tax was all the trade could stand. As a matter of fact, in 1769, the English authorities admitted the soundness of the argument by reducing the tax to that figure. But Grenville's mind was not interested in any such subtleties of economics, so he learned none of these things before his measure became law.

After its enactment, he found it hard to escape the burden of learning a good deal. He found, for example, that the colonial merchants had very deep convictions on the subject of his revenue scheme. This fact in itself should have been enough to make him go slowly, because the merchants were not at all eager to make trouble, or to have it made for them. In general, they had a very keen appreciation of the benefits accruing to them from their membership in the British Empire. They knew that they were protected from foreign competition in the carrying trade by the First Navigation Act. This advantage alone was far more than enough to outweigh the restrictive measures of the other Navigation Acts, especially since they could be easily evaded. Then, at a time when piracy was a factor in real life, the merchants knew that they were enjoying the full benefits of protection by the British navy, without paying a penny for it. Incidentally, they knew that in their Mediterranean trade, they were protected from the depredations of the Barbary corsairs by the payments made by the British government. Finally, they had enjoyed a flourishing trade before the Seven Years' War, and the British conquests held out the brightest hopes for a steady increase in their commerce. While they were enjoying all these benefits, serious protests from them really meant something.

The new measures had no appreciable effect upon the plantation colonies, and the chief protests came from the commercial centers: Boston, Providence, New York, and Philadelphia. The merchants aimed simply at reform, and they urged merely the repeal of the objectionable bill. The most famous protests were those written by James Otis of Massachusetts, the lawyer who had assisted the mer-

chants in their campaign against the Writs of Assistance, by Stephen Hopkins of Rhode Island, a merchant deeply interested in the West Indian trade, and by John Dickinson of Philadelphia, a lawyer in close touch with the mercantile interests of that city. These critics of Grenville's plan tried to make plain the vital importance of the West Indian trade, with reference not only to the merchants and to the distillers, but to the farmers, who depended upon the West Indian market for the sale of their surplus products.

It seems that the law brought hard times to the colonies. From Boston there were complaints that the number of vessels engaged in the West Indian trade had dropped to a fifth of those in it the preceding year. The merchants generally agreed that business was bad, and getting worse. Similar complaints poured in from all the commercial colonies. Of course these have to be discounted to a certain extent, because it was obviously desirable to make out against the law as bad a case as possible, but with due allowance for this strategic factor, the evidence points toward definite harm.

Along with the genuine, bona fide protests of the merchant class against the Grenville policy, there were to be seen numerous traces of those local contests described above. In Massachusetts for example the Otis group in the House of Representatives used the Sugar Act as an ordinary political issue to strengthen themselves and to weaken their opponents. There was so much of that sort of political maneuvering in the Bay Colony that it is impossible to draw any dividing line between the larger and the smaller disputes. In this connection it is worth noting that the debate over the Sugar Act afforded the opportunity for another one of the conspicuous leaders of the Revolution to come into prominence. Samuel Adams drafted one of the protests against the measure, and as a reward, the Boston voters put him into the House of Representatives.

THE STAMP ACT

Undeterred by all this evidence of colonial disapproval, Grenville proceeded to carry out the other parts of his original plan. In 1764 he had announced that revenue measures in addition to the Sugar Act would be necessary, and he had suggested, as the least bad of possible schemes, a series of stamp taxes. Before putting the measure before Parliament, however, he gave the colonial legislatures an opportunity to provide the desired revenue by other means. They took no ac-

tion beyond registering further protests, so in March, 1765, the Stamp Act became law, to go into effect the following November. During its course through Parliament, this ill-fated measure attracted almost no attention. The debates were enlivened by no real protests against the measure itself, and outside of Parliament there were no premonitions of impending trouble. Not even William Pitt, who has the reputation of having been the friend of the colonies, paid any attention to the bill. To be sure, when it passed he was temporarily out of public life (ill with gout) but he was constantly writing letters on all sorts of issues, and if he had been at all interested in the matter, he would have said so. This question of Pitt's attitude toward the colonies is an interesting one. He did criticize the Stamp Act, *after* the protests had come in from America, but in discussing the repeal of it, he made the very interesting observation that "if the Americans should manufacture a lock of wool or a horse shoe," he would "fill their ports with ships and their towns with troops." A curious sentiment, certainly, but not one that would suggest any overwhelming enthusiasm for American development.

There were others in London at the time who saw no great harm in the Stamp Act. Benjamin Franklin, for example, anticipated no trouble, and according to report he applied, in behalf of his son, for one of the positions as Stamp Distributor. Richard Henry Lee did the same thing for himself, much to his embarrassment when colonial opposition broke loose. It required considerable explaining to tell why he was ready to serve in that capacity. Even after news came that the measure had become law there were no indications of any opposition more serious than a few protests.

This second offspring of Grenville's none too fertile mind provided for the levying of stamp duties on a wide variety of documents, such as ship clearance papers, licenses, deeds, bonds, and leases, and also upon playing cards, dice, newspapers, pamphlets, and advertisements. The proceeds, so the law made clear, were to go toward the maintenance of English troops on the frontier. Thus the money raised would all be spent in America, and had the Proclamation of 1763 not set up a barrier to settlement it would have been spent for a purpose distinctly beneficial to all the colonies interested in the West. In any case, the older colonies would profit from having the frontier adequately guarded. Viewed simply as an abstract problem in economics, the Stamp Act was not unpromising.

But not every one viewed it abstractly. The measure affected the merchants, whose sensibilities were still raw from the effects of the Sugar Act, and the lawyers and printers, men whose views could easily be spread broadcast over America. All that was needed was some one to give point to the feeling of resentment. The man who did it was Patrick Henry, of Virginia, the hero of the "Parsons' Cause." Although he was one of the newest members of the House of Burgesses, no sense of deference to the older legislators held him back. He had just discomfited them by stumbling upon and revealing some of their financial misdealing, and he was ready to upset them again, if he could. Moreover, he seems to have realized that the Stamp Act presented him with another opportunity to make himself famous, as the " Parsons' Cause " had done before. On May 29, 1765, in spite of the opposition of the conservatives, the House of Burgesses passed some resolutions which he had introduced. It is hard to tell whether the whole list passed or not, and it really makes little difference. They were all published as the Virginia Resolutions, in newspapers in all the colonies, and their results in influencing public opinion could have been no greater if they had all been strictly official.

The Resolutions declared, in brief, that the Englishmen in Virginia were entitled to all the rights of any Englishmen. The distinguishing feature of British freedom, Henry argued, was the fact that Englishmen taxed themselves, through their representatives, and that the Virginians enjoyed that right through the House of Burgesses. He concluded with the assertion that every attempt to deprive the people of this right tended to destroy their liberty, and that the Virginians owed no obedience to any tax laws passed by any body other than the House of Burgesses.

In Massachusetts the first formal action came on June 8th, when the House of Representatives sent out an appeal for a meeting of delegates from the various colonies at New York, for the purpose of formulating a united protest against the Stamp Act. The time suggested was the following October, the month before the Stamp Act was to go into effect. At the time appointed delegates from nine of the colonies met in the so-called Stamp Act Congress in New York, but weeks before that, plans were being worked out to defeat the measure by other means.

Inspired by the Virginia Resolutions, the opponents of the Stamp

Act in Massachusetts carried their theories over into action. In that colony there were two riots, on August 14th and 26th, the first of which had all the appearance of being, not the work of an irresponsible group of trouble makers, but a deliberately planned and carefully executed demonstration. As a result, the Stamp Distributor for Massachusetts, Andrew Oliver, was compelled to resign. On August 26th the mob broke loose again, this time with more appearance of spontaneity. After a number of minor depredations, they wound up by an attack on the home of Lieutenant-Governor Hutchinson, one of the most conspicuous of the conservative politicians in the province. After throwing everything portable out of the house, the mob smashed the windows and doors, leaving only the walls and the roof undamaged. Perhaps the most serious blow to Hutchinson was the loss of a large part of his invaluable collection of historical material. Leaving these papers out of account, the property damage alone was estimated at £5,000.

This violence in Massachusetts set the fashion for the other colonies. In New York the first rioting took place on October 17th, in North Carolina October 19th, in Virginia October 30th, and so on. One by one the Stamp Distributors were forced to resign, and there were various kinds of hostile demonstrations against the law, all designed to intimidate the officials so that it could not be enforced.

At first this rioting was looked upon with approval by the privileged, enfranchised classes in the colonies. They had a mission to perform, the defeat of the Stamp Act, and they were willing to use as allies the artisans and laborers, with whom they did not ordinarily associate. But after a few examples of what the mob could do the property owners began to foresee certain possible consequences not at all pleasing to them. A little rioting might be good, provided it were directed against the British government. Suppose, however, that the mob should decide to embark upon a program of its own? In several of the colonies there were numerous indications that the rioters expressed too keen a love of destruction for its own sake. And when the classes of little property and no political advantages were destroying the property of others in the name of liberty, the situation was precarious. The privileged classes began to realize that "liberty and no taxation" might be used against themselves, just as they were using it against the Grenville experiment. The Stamp Act, therefore, raised a very interesting question: could the privileged classes main-

tain "their privileges against royal encroachment from above without losing them by popular encroachments from below?" A political revolution against the British government might well mean a social revolution in the colonies. The doctrine of the rights of men and of Englishmen, proclaimed with so much zeal by Samuel Adams, Patrick Henry and Christopher Gadsden, sounded well to those who possessed neither rights nor property.

In their efforts to defeat the Stamp Act the leaders tried very interesting experiments with new political organizations, some of which were full of promise. In this group might be mentioned the federated society known as the "Sons of Liberty." The name seems to have been used first in Connecticut and New York, in November 1765, with reference to those radicals who were opposing both the Stamp Act and the privileged classes in the colonies. Then, likewise in New York, in January, 1766 the radicals launched a formal society of the same name. Its purpose was to prevent any one from using the stamps, by any means that seemed to be desirable. In February the New York Sons of Liberty appointed a committee to write to leading opponents of the Act in other parts of British North America, and they opened up correspondence with all the colonies from New Hampshire to South Carolina. This step was soon followed by the logical suggestion of a Congress, representing all the Sons of Liberty, but before this enterprising plan could be carried out, the repeal of the Stamp Act made further proceedings unnecessary.

In Boston, the active opponents of the Stamp Act followed the example of their fellows in New York and organized a local branch of the Sons of Liberty. The most prominent members were a few merchants and business men, one of the publishers of the *Boston Gazette*, and some political leaders, of whom Samuel Adams was one of the best known. Of those who were known to be members of the Sons of Liberty, several were likewise prominent leaders in the Boston Caucus Club, the medium through which Samuel Adams did much of his work. In fact, the Boston "Sons" represented about the same group, using the new name merely because of a temporary advantage.

The underlying purpose of the Sons of Liberty was to fuse together into a single political organization all the opponents of the new British colonial policy. Had this been done, a tremendously powerful impetus could have been given, not only toward common action, but toward colonial union. It takes time to win support for any such

great undertaking, and it required nine years' more work to achieve this aim. But the First Continental Congress, of 1774, actually did complete the process of organizing a colonial-wide political party of radicals, which the Sons of Liberty had first proposed.

In all this work of staging demonstrations, organizing committees, and projecting colonial congresses, the immediate objective was the nullification of the Stamp Act itself, and this purpose the radicals achieved. The Distributors had been forced to resign before the measure went into effect, and after they were out, there were few individuals who would run the risk of a mob attack by attempting to handle the Stamps. By the early part of 1766 in practically all the colonies business was proceeding as usual without Stamps. Newspapers were published without Stamps, customs officials issued clearance papers without them, and even lawyers and courts of justice transacted their business almost as though the law had never been passed.

Realizing the hopelessness of the contest, the Grenville faction in the British government gave way to the Rockingham Whigs, and in 1766, the new Cabinet put through the repeal of the measure. The colonial radicals had given a pointed illustration of some of their theories of government, with particular reference to the matter of taxation, and in so doing they had won a spectacular victory. After this exhibition of colonial strength, there was really little point in arguing about the legal rights of Parliament over the colonies. No matter how often those rights had been exercised in the past, and no matter how sound they were, in principle, they could not remain in force. For practical purposes the fact of colonial opposition was worth infinitely more than the theory of British law.

Even this contest over the Stamp Act, serious though it was, would not by itself have disrupted the British Empire. The colonies might have been retained, but only on one condition: that American views regarding legislation and taxation be allowed to prevail. If something like the Canadian system of government, with its complete political and financial independence, could have been worked out, the colonies would probably have been satisfied. But the need of revenue was acute, and even though the Grenville régime had passed, there were other British ministers who still insisted upon tapping colonial sources of supply.

CHAPTER XV

PRE-REVOLUTIONARY MOVEMENTS

In the lively campaign against the Stamp Act, the grievances of the merchants over the molasses trade had almost dropped out of sight, and they were not revived when the more exciting contest was over. This inaction on their part could not be attributed to any feeling of contentment under the burdensome restrictions. But in the widespread manifestations of mob activity they could see certain new social and political forces which were far more dangerous to the established order than the Acts of Parliament. The merchants had very little interest in abstract theories concerning the rights of man, but they did have robust convictions about the "rightful" position of the ruling class. This position they saw menaced, seriously, by the newly-found attitude of the populace toward the political dogma of Samuel Adams and Patrick Henry. While the merchants wanted commercial reform, they did not care to get democracy along with it, something which might be forced upon them unless the unfranchised classes could be put back into their "place."

If the British government could have learned the lesson of the Stamp Act, it would have abandoned all hope of a colonial revenue. In its own interest the best possible course would have been a tacit acceptance of the American argument, with a resumption of the former policy of seldom interfering in colonial matters. This would have left in British hands all the advantages accruing from the possession of colonies, without arousing troublesome questions concerning the nature and the rights of imperial sovereignty.

Perhaps true statesmen would have accepted defeat at the hands of the colonists as gracefully as the situation demanded, but the British government boasted few statesmen in those days. Hence even the Rockingham Whigs coupled with their repeal of the Stamp Act the high-sounding Declaratory Act, in which they proclaimed that Parliament "had, hath, and of right ought to have, full power and authority to make laws and statutes of sufficient force and validity to bind the colonies and people of America, subjects of the crown of Great Britain in all cases whatsoever."

THE TOWNSHEND ACTS

Fully conscious of their decisive victory over the Stamp Act, the colonists could afford to ignore this assertion far better than the Cabinet could afford to put it into practice. But in the very next year a new ministry began to cast longing eyes at the prospect of an American revenue. Charles Townshend was responsible for this new venture. Being somewhat superficially aware of the issues involved in the Stamp Act contest, he had observed that the majority of complaints had been directed against "internal" taxation. To be sure the merchants had protested against the import duty on molasses, but they did not refuse to pay it. Hence, Townshend concluded, they would, perhaps under protests, pay other import duties, and in this way he could succeed, where George Grenville had failed, in the pleasant expedient of raising funds in America.

In 1767 the Townshend Acts were placed on the statute books. They comprised an ambitious list of subjects, ranging over almost the whole field of colonial supervision. The new taxes were in the form of tariff duties on painters' colors, paper, glass, and tea. The 3d. duty especially was made as inoffensive as possible, by remitting the duty on tea when it was imported into England, so the colonists could buy theirs at a very low price.

The revenue derived from these import taxes was to be used primarily to pay the salaries of colonial judges, governors, and other royal officials in the colonies, thereby freeing them from dependence upon the American legislatures. If any surplus remained after the salaries were paid, it was to be applied to the burden of defense.

In addition, the Townshend program provided for another reorganization of the Customs Service. An American Board of Customs Commissioners was created, with headquarters in Boston, to be in full charge of all Customs business in North America, including Bermuda and the Bahamas. Furthermore, courts of vice-admiralty were set up in Boston, Philadelphia, and Charleston, to expedite the trial of smuggling cases. Finally, a special law was passed, suspending the New York Assembly until it should comply with the Act of Parliament regarding the support of British troops in the colonies.

This program was even more ambitious than Grenville's had been, especially in the scheme for "reforming" colonial government. The

aim of the Cabinet in making the attempt can be seen in any survey of American constitutional history up to that time. During the eighteenth century, and especially during the Seven Years' War, the legislatures had used their control of finance to assert their power over the executives, and as a result the governors had been humiliated in America and criticized in England. The power to vote or to withhold the governor's salary was a weapon of the utmost importance. In trying to take this away, Townshend struck a blow at the very foundation of American government, and thus brought upon himself and his program the hostility of practically all thoughtful leaders in the colonies. If he had his way, so they reasoned, not only would all their victories be swept away, but the very means by which they had won their successes would be lost.

As for the new taxes, there was no chance of collecting them without arousing another disturbance. The colonists were so well pleased at their victory over Grenville that they would not be halted by any mere metaphysical distinctions between external and internal taxation. By 1767 a Parliamentary tax, external or internal, had become a distinct nuisance. Incidentally it had also become a satisfactory issue by the clever use of which the local politicians could increase their power. Therefore in this new controversy, as in the one preceding, the contest over English taxation was closely bound up with the various local political controversies in the colonies.

NON-IMPORTATION

In their efforts to defeat the Townshend program, the colonial leaders planned to work through the commercial interests in England. By shutting off the use of British manufactures, either by non-consumption or by non-importation agreements, the Americans hoped to enlist the English merchants on the American side. Rather than suffer any serious diminution of trade, they might be expected to join in an insistent demand for a change in ministerial policy.

The first formal action seems to have been that taken by the Boston town meeting on October 28, 1767. At that time a form of agreement was adopted, by which the signers bound themselves not to purchase a long list of imported articles. As a part of the same program efforts were made to encourage local manufacturing.

Like so many other activities of the period, the adoption of this program of opposition did not represent the carefully considered

purpose, either of a majority of merchants, or of the town. On the contrary it was a tribute to the organizing genius and the skillful management of the professional politicians, supported by a few zealous merchants, some of whom eventually repented of their action. All the evidence points to the conclusion that acute dissatisfaction was confined to the Boston radicals, and that they were trying to arouse a relatively indifferent community.

When the Massachusetts General Court met for its winter session, representatives of the same interests which controlled Boston politics took charge of the legislative program. Under the inspiration of Samuel Adams protests against the Townshend Acts were sent to various prominent officials in England, and at the same time the legislature sent off its "Circular Letter" to the other colonial assemblies, urging them to join with Massachusetts in her efforts to secure the repeal of Townshend's measures. Finally, the House of Representatives voted to approve a plan of non-consumption similar to that adopted by the Boston town meeting.

The success of a self-denying policy of this kind depended entirely upon the hearty coöperation of all the other commercial colonies. If the Boston merchants should act alone, they would merely throw increased business to their competitors in Rhode Island or New York. In December 1767, Providence adopted a non-consumption agreement, and Newport followed a little later. The other commercial centers were in no hurry to act.

In the spring of 1768 the Boston merchants agreed to a so-called non-importation plan, provided the merchants elsewhere would join with them, but the Philadelphians refused their consent. As a result, the plan for a general, intercolonial policy of non-importation had to be abandoned. It seemed for the time being that effective opposition would collapse.

In the meantime the Boston political leaders had the satisfaction of compelling the newly established Board of Customs Commissioners to leave town, and take refuge in Castle William, down the harbor. Shortly after this disturbance word came that the ministry had decided to station troops in Boston, to exercise a little restraint on the active politicians there. If the Cabinet had been consciously working to create more ill-feeling than that already in existence, it could not have devised a more effective means than this. The idea of British troops in town was opposed by thousands, where the

Townshend Acts had aroused perhaps a few score. The British officials thus played directly into the hands of the colonial leaders.

The first important result of this news was a revival of the non-importation policy. In August, 1768, the Boston merchants signed an unconditional agreement, binding themselves to import no British goods, with the exception of a few necessities, between January 1, 1769 and January 1, 1770. It appears that many of the signers were not merchants, but shopkeepers, and of the merchants who signed, reports were current that they had taken the precaution of stocking up beforehand with goods enough to carry them through the lean year.

On October 1, 1768, the New York merchants adopted a non-importation agreement, while Philadelphia held off until March 1769. But at last, by the fall of 1769, some sort of non-importation plan had been adopted in every colony but New Hampshire.

It is at first sight rather surprising to find approval for a non-importation measure in Virginia, the leading plantation colony, in which the only merchants were English and Scotch agents. Their business had hardly been affected by the Townshend duties. And, as a matter of fact, the merchants had nothing to do with the project; the active leaders were George Washington, Patrick Henry, Richard Henry Lee, Thomas Jefferson, and Peyton Randolph. Under their direction, in May 1769, members of the dissolved House of Burgesses adopted a non-importation agreement. It met with general approval, except among the merchants.

It is plain that the promoters of non-importation in Virginia were the leaders of the newer political groups in the Piedmont, men who for one reason or another were opposed to the older machine organization. Their economic interests had not been touched by the Townshend Acts, and they would hardly have felt the taxes called for. It may be that they joined the commercial colonies in this form of protest simply because they disapproved of the principle of British taxation. It is also possible that in the Townshend Acts they found a political issue which they could turn to account. More important still, they represented the groups who as land promoters had good reason to harbor grudges against the British government. Its western plans had wrecked too many hopes in Virginia. Consequently in order to show disapproval of the policy the Virginians were ready to join in any protest against any British measures, in the hope of inducing a reform.

In the commercial colonies recalcitrant merchants who refused to join in the non-importation movement were first blacklisted, then threatened, and then, in some cases tarred and feathered, in others exiled. Some of the victims of this policy of enthusiastic repression ventured to complain about the illegal character of much that was done to them, and of their loss of liberty under radical compulsion. Perhaps the attitude of the upholders of non-importation was best set forth by Samuel Adams, in the *Boston Gazette*. Public opinion, he wrote, was clearly against the importers. Merchants who were blind to this situation would do better to leave the colony entirely.

By resorting to mob action and to other forms of extra-legal activity, the leaders succeeded in a measurable enforcement of their program. In Massachusetts, English imports fell off nearly fifty per cent in 1769. In New York the agreement was well enforced, and imports from England were almost entirely barred out. In Philadelphia the record was somewhat less satisfactory, but there is no doubt that commerce suffered.

The non-importation movement collapsed in 1770, when Parliament repealed all the Townshend taxes except the 3d. duty on tea. In many cases the struggle had meant heavy financial loss, and there was really no object to be gained in continuing the prohibitory system, merely for one comparatively insignificant duty. New York and Philadelphia abandoned the plan first, and finally in October 1770, much to the disgust of Samuel Adams, the Bostonians put an end to their agreement.

Between the end of the non-importation controversy in 1770, and the dispute over the Tea Act of 1773, there were two contradictory currents in the history of the colonies. One, the more conspicuous because it was much the noisier, was the determined effort of the radical politicians to keep the Anglo-American dispute alive. The other was the effort made by the conservatives to restore good feeling, and to forget all the unpleasantness which had been aroused by the Grenville and Townshend schemes of taxation. The prevailing impression that the contest with England moved steadily on from a definite beginning about 1760 to the First Continental Congress, the Battle of Lexington, and the Declaration of Independence, is true, so far as the professional politicians were concerned; it is not true in the case of the majority of the people.

RADICAL PROGRESS

The preceding contests had clearly separated the radical from the conservative elements; hence by the end of 1770 the party alignment in the colonies had become fairly clear. In Massachusetts, for example, the conservatives included, in addition to the royal officials and many other office holders dependent upon them, nearly all the merchants, and the greater part of the rural population. The radicals were made up of a few merchants, of whom John Hancock was easily the most prominent, the ship workers and other artisans in the towns, certain newspaper publishers, like Benjamin Edes, and those who made politics their trade, as did Samuel Adams. Although greatly inferior in numbers to the conservative group, they succeeded in making an impression inversely proportioned to their strength.

Samuel Adams, who won the fame of bringing the whole dispute to a definite climax, was by temperament a crusader. The son of a politician, he was brought up in the midst of the lively political quarrels of the '30's and '40's and in early life he developed an active hatred of England. After graduating from Harvard, he tried his hand first at the law, then at business; but he had no interest in commercial matters, and his efforts in these fields were productive of little but failure. In the meantime he entered politics, by way of the Boston Caucus Club, the organization that controlled town meetings and managed elections. He held various offices in Boston, including that of tax collector. Here his lack of business sense left him in such a predicament that the town had to sue him to secure its funds, not because he had been guilty of appropriating them for his own use, but because of sheer laziness and incompetence. The collectors were each assigned to certain taxes to take in, and for these they were held responsible. Adams did not always go to the trouble to make his collections, hence his accounts were in bad shape. His mind could never grasp the intricacies of either business or finance, and, following the line of least resistance, he gradually devoted himself more and more completely to his one really live interest: politics. In the Sugar Act controversy, he took such an important part that he was rewarded with a place in the House of Representatives, where he immediately became a leader.

In New York the radicals included the unfranchised elements, with a few adherents from other classes. These were often the

leaders, men who for one reason or another had fallen out with the ruling aristocracy in the colony. In Pennsylvania, as described above, the radicals were the workingmen in Philadelphia, with leaders sometimes picked from the upper classes, like Charles Thomson, and the dissatisfied farmers in the western counties. In Virginia they were the Piedmont planters, western land promoters, such as George Washington and Thomas Jefferson, along with the lawyers who worked with them, like Patrick Henry. With one possible exception, these Virginia radicals included men of larger property interests, and not infrequently men of much greater general ability than their associates in the other colonies could boast.

These various groups of colonial leaders acquired a chronic suspicion of the British government, so that the mere repeal or moderation of tax laws failed entirely to satisfy them. In fact they felt the weight of the British imperial system so keenly that they would not think of reconciliation on the basis of the old order. When public opinion threatened to become quiet and indifferent, they kept it active and alert. Sometimes the absence of concrete issues hampered them seriously, but sometimes an occasional event would occur which made their work easier.

THE BOSTON MASSACRE

One of these, which came shortly before the collapse of the non-importation movement, was the so-called "Boston Massacre," of March 5, 1770. Late in the summer of 1768, British troops had been sent to Boston to uphold the authority of the new Board of Customs Commissioners. Their very presence constituted a lively grievance, and the radicals were always complaining because they were there. On account of these protests, the governor had the General Court meet in Cambridge, instead of in Boston. For one year and a half the troops remained in town, without arousing anything more serious than angry protests. Realizing the delicacy of the situation, the officers kept the privates under the strictest discipline. The Boston populace on the other hand was under no such restraint, and irrepressible individuals amused themselves by trying to find out how much abuse the redcoats would stand.

On March 2, 1770, some of the Boston rope-makers provoked an altercation with the soldiers on guard, and that developed into a kind of running skirmish, lasting for three days. With that choice regard

for the picturesque in language which characterizes mobs, the crowd applied to the troops all sorts of epithets, both indecent and profane, while the bolder spirits hurled snowballs, sticks, and stones, in an effort to make the troops as miserable as possible. On the evening of March 5th, a much larger crowd gathered, and the altercation quickly became serious. Led by a negro sailor, Crispus Attucks by name, part of the crowd set upon one of the sentries, and handled him so roughly that he called for help. Captain Preston came out with a small detachment, and the mob became more threatening. Suddenly one of the soldiers fired into the crowd, and then, in the excitement, seven others followed. The result was five men killed, and six wounded.

Instantly the whole town was in an uproar. The danger of a wholesale attack on the troops was so serious that the citizens who managed to keep their heads went on guard duty to prevent a small scale war. Samuel Adams seized the opportunity, one which he had long been vainly waiting for, to get the troops out of town. After a series of dramatic interviews between him and Governor Hutchinson, the governor ordered both regiments down to the castle.

In considering the question of responsibility for the "Massacre," it is well to consider the facts in connection with the subsequent judicial proceedings. Captain Preston and his seven privates were placed on trial for murder, in a local Massachusetts court, before a local jury, in a community roused to fury over the casualties of the evening of March 5th. Their lawyers were two prominent young radicals, Josiah Quincy and John Adams. It would be difficult to imagine a situation more unfavorable for the defendants. And yet, in spite of all these factors working against them, Captain Preston and five of the privates were acquitted, while the other two were convicted of manslaughter, and let off with a merely nominal penalty. The evidence produced in court, in spite of the efforts of the prosecution and the desire of the jury to convict, placed the whole responsibility upon Crispus Attucks, one of the victims, and the Boston mob.

THE *GASPEE* AFFAIR

Another incident which served to inflame opinion was the burning of the *Gaspee*, in 1772. This was a vessel of the royal navy, employed off the Rhode Island coast in enforcing the trade laws. Lieutenant Dudingston, in command, was inclined to be unpleasantly self-

important, and in the performance of his duties he showed considerably less than the average amount of tact. He stopped and searched all vessels entering Narragansett Bay, and according to the charges of the merchants, he seized vessels on entirely insufficient evidence. Be that as it may, he was probably the most hated man anywhere within reach of the Rhode Island merchants. On June 9th the *Gaspee* ran aground a few miles from Providence. At night eight boats put out from the town, full of armed men. They reached the *Gaspee* before daybreak, boarded her, and took possession. They made a prisoner of Dudingston himself, who had been wounded in the encounter, and then set the crew ashore. These formalities completed, they burned the *Gaspee* to the water's edge.

The British government appointed a special commission to investigate the affair, but in spite of the fact that almost everybody in Providence knew who the guilty parties were, not a man could be convicted, and no one was ever punished. This sort of thing furnished the radicals with the material necessary to play upon the public mind.

At about the same time, in Massachusetts, a dispute was started over the plan of the British government to pay salaries of the judges and other officials out of the royal treasury. The radicals made the most of this issue, and managed by so doing to maintain a certain amount of political excitement.

V CONSERVATIVE REACTION

But the three years following the collapse of the non-importation movement were years of unusual prosperity, and under such conditions political activities appreciably waned. The business of making money is much more enthralling than debates over abstract constitutional points. The merchants found business good, and they were especially eager to make up the time lost during the Townshend disputes. Moreover the conservative classes generally looked with something akin to horror at the steady development of radicalism among the unprivileged classes. To their minds the danger of mob control, or even a government managed by the "lower" classes had become a genuine menace, to be combatted at all costs. Prominent officials wrote gravely of the spread of "levelling principles," or of the growing importance of the "lower sort of people." As one of them put it, a gentleman no longer met "what used to be called common

civility." Among the merchants this sort of thing began to take the place of complaints against the policies of the British government.

The repeal of the Townshend duties, already referred to, was another surrender to colonial demands, like the Stamp Act repeal, and with these two successes to serve as precedents, the merchants and conservatives generally had few remaining fears about untoward British actions. The feelings of the merchants had been still more completely soothed when the import duty on molasses was reduced to a penny per gallon. It ceased to be burdensome, and complaints concerning it came to an end. The 3d. duty on tea still remained, but for the three years preceding the famous "Tea Party" there is not a single record of complaint against it. In brief, the British government had gone about ninety per cent of the distance in arranging a satisfactory settlement, and the conservatives were well satisfied, both with prevailing conditions, and with the outlook for the future.

Under these circumstances, beginning with the fall of 1770, a pronounced conservative reaction set in, evidence of which began to appear in all directions. One manifestation of it has already been mentioned, namely the collapse of the non-importation movement. The merchants had become extremely restive under Adams's leadership, even before they repudiated him; when they saw their chance, they dropped him entirely.

This reversion to a more conservative course is delightfully portrayed in the case of John Rowe, whose diary records his own growing sense of the dangers of radicalism. Rowe was a substantial Boston business man, thoroughly likeable in all respects, with an interest in politics, a fondness for fishing, and a love of social festivities. Inclined to be cosmopolitan in his associates and friendships, he was in close touch with everybody from Governor Hutchinson to Samuel Adams. As a result, there was not a better informed man in all New England. He had been one of the most active leaders in the non-importation movement, but as it became more violent, he became alarmed. The leaders could continue to place him on their committee of enforcement, but they could not prevent him from going fishing on the days of their most important meetings. His complete change of attitude in this issue was typical of many of his class.

Rowe showed how the spirit of the times had become more genial, in his accounts of the social gatherings. He found a general desire to forget the dispute with England, and if he and those like him had had

their way, cordial relations would have been completely restored. In June, 1770, for example, Rowe and a group of prominent Bostonians spent the evening at "Province House," drinking the king's health. "A great many gentlemen attended this Public Mark of Loyalty to his majesty & Family," something which could not have been done a year earlier.

Again, on January 18, 1771, the Queen's birthday, Rowe spent the evening at a very elaborate celebration, with "a very grand assembly," including the governor, lieutenant-governor, the officers of the royal army and navy, in fact as he put it, "all the best people in town a general coalition so that harmony, peace, & friendship will once more be established in Boston very good dancing & good musick but very bad wine & punch." Not even the bad wine and punch could conceal Rowe's deep satisfaction at the bright prospect of restored good feeling.

If this turn had been confined merely to social affairs, it would have had little, if any, historical significance, but it was manifested in every direction. In the Council, or upper house in the General Court, a number of members began to work with the governor, something they had not done since 1765. Prominent politicians were deserting the radicals, and going over to the other side.

The same break in radical forces was soon revealed in the very stronghold of the radicals, the House of Representatives. In the fall of 1770, Samuel Adams and his party met defeat for the first time in more than four years. Then, in the elections of 1771, the conservatives secured a clear majority. It really appeared for a time as though the whole dispute were over. Adams's party split into fragments, and some of his most active supporters either dropped temporarily out of politics as John Adams did, or went over to the conservative side, after the manner of John Hancock.

In New York, the years from 1770 to 1773 were exceptionally quiet and peaceful. The lower classes were prosperous and contented, the Sons of Liberty were no longer heard of, and relations with England had never been more cordial. There, as in Massachusetts, the dispute seemed to be over.

Perhaps it would have been, if the radical politicians had been inclined to accept defeat gracefully. Instead of welcoming the conservative reaction, they set themselves to check it, and to restore the condition of tense excitement and bitterness which had char-

acterized the period before 1770. To Samuel Adams for example, the reëstablishment of good feeling was an unmixed calamity. After it started he spent the busiest three years of his life in an effort to combat it, and the war that came was a tribute to his success. The brighter the conservative prospects appeared, the more vigorously he worked. By means of newspaper articles, political campaigning, and direct personal appeals, he sought to bring back the super-heated emotionalism of Stamp Act times. Much of his effort was characterized by exaggeration. In order to arouse discontent, he regularly told his contemporaries that they were slaves, and that the government under which they lived was an absolute despotism. His purpose was to fill others with his own bitter hatred of Great Britain, and to spur them on toward independence.

COMMITTEES OF CORRESPONDENCE

Clever propaganda, properly conducted, will do wonders in creating public opinion, and Adams was most successful. Signs of renewed unrest were becoming visible in all directions. But propaganda alone is never enough to bring on revolution. What is needed to complete the process is an organization, through which the leaders can work. They must have something by means of which they can guide and direct the opinion they have created into the proper channels. Adams realized this need of organization, and by September, 1771, he was considering plans for it. He aimed at a whole system of committees, in all the colonies, so tied together by common aims and leadership that they could operate as a single unit. The Sons of Liberty had been working in that direction in 1766, when the repeal of the Stamp Act made further efforts unnecessary.

After discussing the project at length with his friends, Adams picked the fall of 1772 as a fitting time to carry his plan into effect. Thanks to his influence in the Caucus Club, he was able to have a special town meeting called, in spite of the vigorous opposition of his former colleagues, John Hancock and Thomas Cushing. There he proposed the appointment of a committee of correspondence, to keep in touch with similar committees to be appointed in other towns. At a second meeting held a few days later, the committee was appointed. It rarely happens that a revolutionary, or even a radical movement can win anything like the unanimous approval of any community, and Boston of 1772 was no exception to that rule. Both

these town meetings were small, with fewer than a fifth of the voters in attendance, and there is more evidence of general opposition than of general support. But Adams was in a position to ignore the unfavorable attitude of the majority. He controlled the group of politicians who managed all public affairs in the town, and for work of this sort he needed nothing else.

The next step was to induce the leading towns in the province to follow suit, for they could not be expected to act spontaneously, any more than Boston had done. By dint of his powers of persuasion, Adams won over some of his friends in nearby towns, and with these to set the example, the others gradually followed. By July 1773, almost every town in Massachusetts had its committee of correspondence.

Legislative committees to correspond with the governments of other colonies had been used occasionally by various assemblies, and regularly by the House of Burgesses in Virginia. For years that body had had a committee of correspondence, which could easily be made a revolutionary organ. After 1773 these agencies for keeping colonial governments in touch with each other became common.

The creation of the committees was the response of the radicals to the conservative reaction, and they could hardly have devised a more effective rejoinder. By the summer of 1773, a remarkable change had taken place in Massachusetts. The committees served as centers of radicalism from which the doctrines of Samuel Adams and the other Boston extremists could radiate into every corner of the province. The country districts became even more radical than Adams himself, while before this time they had consistently lagged far behind the Bostonians. Adams had worked purposely to arouse a spirit of intense bitterness against Great Britain, and on every hand there was evidence of his success. Perhaps the best illustration of the change was the attitude of John Hancock, always quick to align himself with the winning side. Before the summer of 1773 he had become reconciled with Samuel Adams, and the two were again at work in the same cause.

Between 1764 and 1770, there had been a series of genuine grievances against the British government, and these had aroused widespread opposition. After 1770, however, many of the real grievances practically disappeared, but the opposition did not expire with them. On the contrary it increased, both in intensity and in volume. Popu-

lar opinion, so called, may spring spontaneously out of a common feeling, whether it be contentment or mad hatred; it may also be created, with very little as a cause except the determination in the minds of the creators. During the Sugar Act dispute, Samuel Adams had learned how to manufacture public opinion with a pen, and he turned his lesson to practical account in 1773.

CHAPTER XVI

THE BREAK WITH GREAT BRITAIN

Just how far the state of mind aroused throughout Massachusetts would have carried the people, if the British government had made no more blunders, is an open question. It may well be that the course of colonial growth, plus the undeniable estrangement from England which her new policy had aroused would have led inevitably to a separation. Certain it is that with the committees of correspondence actively at work, with the leaders always on the lookout for some new evidence of evil in British policy, the likelihood of a break was never entirely absent. The conservative reaction of course was a positive movement away from trouble, but it was not sufficiently far-reaching, and radicalism eventually carried the day. That it did so was due in part to Lord North, in part to Governor Hutchinson of Massachusetts, and in part to Samuel Adams.

THE TEA ACT

Adams and his associates had been successful in arousing the populace on the strength of British measures which had dropped or were dropping out of sight. In order to hold his following in line he needed a much more alive issue, something which the people would seize upon as a sort of crowning outrage. Had the British Cabinet been aware of this situation it would naturally have tried not to play into the hands of the radicals. But at the particular time Lord North and his colleagues were considerably more concerned over the financial straits of the East Indian Company, than over American affairs. Formerly one of the most prosperous of all the great British trading corporations, the East India Company had met with serious reverses. By 1773 it was dangerously close to bankruptcy, and the government came forward with help. It happened that the company's warehouses were heavily stocked with tea, some seventeen million pounds in all; if this could be turned speedily into cash, the company might be saved. So the Cabinet aimed to provide a market for the unsold tea.

Lord North's Tea Act of 1773 gave the East India Company itself the right to export tea directly to the colonies and to establish branch offices there. Hitherto it had been required by law to sell to English merchants, who in turn sold to American importers. The new law therefore eliminated both the English and the American wholesale dealers, two sets of middlemen. The American consumer would henceforth pay only two profits, one to the local shopkeeper, and the other directly to the East India Company. In addition, the company received back from the Treasury the tariff duties paid when the tea was imported into England. The only tax which the Americans would pay therefore was the 3d. duty imposed by the Townshend Acts, and continued in 1770 when the others were repealed.

These were the chief provisions of the law. There is an old, very popular legend to the effect that George III and his advisers favored the measure because it afforded an excellent opportunity for trying the question with America. This seems to be pure myth, and like all myths, the origin of it is not definitely known.

One thing is clear, however: there was no need of trying the question. The only refusal to pay the 3d. duty had come during the non-importation movements. After they ended, as they did in 1770, merchants in several of the colonies imported tea regularly, and paid the duty without question or protest. Between the fall of 1770, and the reception of the news of the Tea Act in 1773, there is not a single case on record, in Massachusetts at least, of a complaint against the tea duty. Furthermore, the merchants were paying, likewise without protest, the 1d. duty on molasses. As for the tea imports, from 1770 to 1773, Boston took in 421,247 pounds, and as late as September, 1773, John Hancock himself imported and paid the duty on over 111,000 pounds, nearly half as much as that destroyed in the famous "Tea Party." New York and Philadelphia to be sure preferred to smuggle theirs in, from Holland, and did so. But enough tea came in through the Customs House so that the government was not dependent upon subterfuge to inveigle the Americans into paying the tax.

Had North's measure been passed at any time before 1760, it might have attracted little attention. But in 1773 conditions were different; the people were keyed up to a high pitch of nervous excitement. Under these circumstances, it was easy to represent the Tea

Law as a serious grievance, to be ranked in a class with the Stamp Act of evil memory. This situation enabled Samuel Adams to display his qualities of leadership.

For some time before 1773 Samuel Adams had been acquiring a clear-cut philosophy of the colonial problem. He believed that the colonial legislature was supreme in its field, that is, in all matters of legislation and taxation pertaining to the colony. Such being the case, Parliament had no right to pass laws, or to levy taxes for the colonies. That theory was the center of all the talk about "no taxation without representation." It was not so much because the Americans were not represented in Parliament that they had complained about the various schemes of taxation, but because these had been imposed by a body other than the local assembly. According to Adams, who pictured everything in absolute black and white, in sharp outlines, these British measures were not only wrong, they were embodiments of evil itself. He hated them with the same holy horror that urges the moralist to a hatred of evil, as Pope Leo the Great hated Arianism.

Inspired by this sort of feeling, Samuel Adams made up his mind that colonial rights must be put upon a solid, permanent basis. Just how to do this was not definitely worked out. He could arouse in others the same state of mind for which he himself was noted, but it takes more than diffused emotionalism to arouse a people to rebellion. There was of course the possibility that rebellion would not be necessary. That is, if the British government could be caught in such a predicament that it would pay any price in return for help, the *quid pro quo* might be made the formal guarantee of what he called "American rights," that is, complete, absolute, legislative autonomy.

THE BOSTON "TEA PARTY"

In the summer of 1773 his opportunity came. He received a letter from Arthur Lee, acting then as agent for some of the colonies in England, to the effect that another general European War was imminent, and that the situation might well be used to compel the English government to grant the demands of the American radicals. Adams knew barely enough English history to appreciate the significance of the chance. It was exactly by this means, taking advantage of deep need, that Parliament had won its early victories over the king. This rumor which Lee sent over took complete possession of

his mind and he acted as though it were a statement of actual fact. His plan, simplified, was to force the British authorities to relinquish their assumed right to tax the colonies, in return for American help in this prospective war. All this he had figured out at just about the time he heard that the tea ships were coming, September 1773. By making a spectacular refusal to pay the tax, the whole question of Parliamentary supremacy would be raised anew. Then, because of the absolute need of American help—a purely mythical situation existing only in Adams's mind—the colonies could demand and get the guarantees they desired.

Then the radical machinery was set in motion. The Massachusetts legislative committee of correspondence was summoned, to consider and to agree upon action concerning any requisitions that might be made in case of war. Adams himself wrote the call for the meeting, and his letter shows how completely Lee's rumor had occupied his mind. He urged the radicals to withhold all help until their rights were firmly established. Along with this were openly discussed plans for a congress, to take charge of the American case. And while Adams was urging all interested parties to present a united front to England, he also insisted upon the necessity of avoiding any settlement based upon compromise.

On November 2 the North End Caucus, a political group dominated by Adams, voted that the tea should not be landed. After several fruitless attempts to force the East India Company agents, or consignees, to resign, the Boston town meeting voted to prevent the tea from being sold. Shortly before the tea arrived, the consignees proposed a compromise plan, whereby the offending commodity might be landed and stored, under guard of a town committee, until they could get orders from the company. This proposal the radicals rejected, because it would involve payment of "the tribute." On November 28 the tea ships arrived. The radicals refused to permit the cargoes to be landed, and Governor Hutchinson—whose sons were among the consignees—refused to permit the ships to clear for the return trip. By so doing he played directly into Adams's hands. The deadlock continued until December 16, when men disguised as Indians boarded the vessels and dumped the tea into the harbor.

At rare intervals in human history a certain event, in itself insignificant, has marked the climax of a great movement, and because

of that it stands out as a record for all time. Such was the "Defenestration of Prague," which preceded the Thirty Years' War; such too was the "Boston Tea Party." In some respects, especially because of its consequences, it is the most momentous single episode in American history. It was directly responsible for Lord North's policy of coercion, and that in turn precipitated the Revolution.

Although the merchants resented that provision of the Tea Act which granted a monopoly to the East India Company, it is doubtful if they alone would have arranged for the "Tea Party." Samuel Adams seems to have been largely responsible for it. Certainly the objectionable cargoes were handled with less violence in other commercial centers. Even if Hutchinson's stubbornness prevented the consignees from letting it go back to England, as New York and Philadelphia consignees did, it might have been stored, as it was in Charleston—not in damp cellars, but in warehouses. In 1776 the Charleston tea was auctioned off for the benefit of the Revolutionary government. Because of the less extreme methods used in those other commercial centers, there were no coercive acts for them.

One of the most level-headed, sensible, intelligent men ever born in America, Benjamin Franklin, characterized the destruction of the tea as "an act of violent injustice that required a speedy and voluntary reparation." William Pitt described it as "certainly criminal," declaring at the same time that the Bostonians had violated "the most indispensable ties of civil society." John Rowe was "sincerely sorry for the event."

Samuel Adams and his fellow radicals on the other hand experienced a feeling of intense exhilaration. They were proud of what they had done, and they wanted everybody to know it. As for the British Cabinet officials, they were placed in a most uncomfortable situation. The "Tea Party" was a spectacular challenge to them, and they knew it, as did everybody else. Under the circumstances, they were compelled either to resort to a surrender, most ignominiously, or to use force at a time when the radicals all over the colonies were flushed with excitement and pride at the success of their demonstration.

THE COERCIVE ACTS

North's first response was as crushing as Adams could hope for. This was the Boston Port Act, passed upon receipt of news that the tea had been destroyed, to go into effect in June, 1774. It trans-

ferred both capital and customs house from Boston to Salem, and prohibited all commercial navigation of any sort in Boston harbor. The port could be reopened when the town had paid the East India Company for the tea, valued at about £15,000. When the bill was under consideration in the House of Commons, the members who had been most outspoken in defense of the colonies approved the measure, and voted for it.

Although the conservative Boston merchants were eager to pay for the tea, the radicals would not consider it. They had wanted a crisis, and once they got it, they prepared to make the most of it. In their appeals for help, which they sent to all the colonies, they seized the opportunity to arouse a spirit of antagonism to England.

Another one of the coercive, or "intolerable" acts which followed provided for the trial of colonial offenders in English courts, if necessary. The others dealt with the government of Massachusetts. Henceforth the Council was to be appointed by the king, and all town meetings, except the annual one for the election of officials, were forbidden, without the permission of the governor. In connection with these Acts of Parliament, General Thomas Gage was appointed governor of Massachusetts, to succeed Hutchinson.

THE QUEBEC ACT

One more measure adopted by Parliament in this same busy year of 1774, habitually but mistakenly grouped with the Coercive Acts, was the Quebec Act. It had nothing whatever to do with North's plan for bringing the obstreperous Bostonians to terms. On the contrary, the purpose of it was to remedy certain defects in the Proclamation of 1763. The boundaries of Quebec were extended to the Ohio River, with the proviso that no rights previously granted were to be affected by the change. This of course automatically removed the prohibition against settlement in the region, but at the same time it placed the territory under Canadian, rather than the former colonial, control. The measure guaranteed to the French Catholic subjects the right to worship as they pleased, and arranged for the trial of civil cases in accordance with the principles of French, rather than English, law. With reference to government, there was to be a royal council, but no elective assembly.

OPPOSITION TO THE NORTH MEASURES

In laying their plans to secure independence, the Massachusetts radicals needed a compelling issue on the strength of which they could appeal to the other colonies for help. The issue was furnished them by Lord North, in his coercive policy, which was severe enough to create intense feeling. And Adams planned to direct the excitement into channels of his own making. He was planning for an all-inclusive non-intercourse agreement, something so complete and far-reaching that all trade with Great Britain, both import and export, could be stopped. This was the germ of the Continental Association. With this end in mind, his committee of correspondence proceeded to lay the proposal before the radicals in other colonies. Realizing the desirability of haste, so that action might be taken before the popular animosity should have a chance to cool, he expressed the hope that an agreement might be made, on the basis of his proposals, without waiting for a Congress.

After sending off Paul Revere with the letters to the other colonies, Adams and the committee of correspondence proceeded to pledge the towns of Massachusetts in support of his plan. The Boston leaders drew up a non-consumption agreement, and the Boston committee sent copies to every committee of correspondence in the province. The plan was to have the agreement make its first public appearance in the form of local town resolutions, so that it might seem to be the result of a spontaneous movement in the country. In this way it was kept under cover in Boston until the towns began to act, and then the Boston committee announced that the mechanics and farmers had initiated the movement!

Thanks to the preliminary work done by the committees of correspondence, there was an imposing show of popular support for the proposal, and in Massachusetts the non-consumption covenant was a marked success. But the other colonies were slow to move, and then the leaders determined to call a Congress, something which they had been discussing for several years. On account of the numerous references to a Congress in the correspondence of the leaders, it is impossible to tell just where the idea first took definite form. It seems that the Rhode Island legislature was the first one to act, and others followed in quick succession.

THE FIRST CONTINENTAL CONGRESS

In Massachusetts, Samuel Adams made ready to bring the matter before the General Court, and that body appointed a committee to consider the question. On June 17, 1774, the committee prepared to report. All visitors were ordered out, the doors locked, while the key reposed safely in the pocket of Samuel Adams. Then, while the royal secretary was standing outside the door, reading the governor's order dissolving the Court, the House voted to send delegates to a Continental Congress. There, along with representatives from other colonies, they were to decide upon measures for the recovery and establishment of their rights and liberties, and the restoration of harmony between Britain and her colonies. As Professor Schlesinger has said, the instructions embodied, not what the radicals wanted, but merely what they dared put down on paper. Thus the suggestion of restored harmony was a mere rhetorical gesture.

The other colonies fell in with the suggestion, and delegates were duly appointed. They were chosen, in some cases by the legislatures, and in others by extra-legal bodies, by members of legislatures dissolved by the governors, or by committees of correspondence.

Philadelphia had been selected as the place of meeting for this first Continental Congress, and the delegates began to arrive there a week before the date set for opening. These few days were spent in getting acquainted, and in trying to analyze the situation. It was clear that there would be two distinct groups of delegates, one radical, and one conservative. The radicals wanted independence; the others were looking for the continuance of the colonial status, under more favorable conditions. Although the two groups were almost equal in numerical strength, from the very beginning the radicals had a slight advantage. They selected the meeting place and they chose the presiding officer, Charles Thomson, a Philadelphia radical who had failed to secure an election as delegate.

The aim of the Massachusetts leaders, Samuel and John Adams, Elbridge Gerry, and Robert Treat Paine, was to win the Congress over to an approval of the Boston plan of non-intercourse. They were supported in this by the Virginians and by Christopher Gadsden, of South Carolina. But the Bostonians encountered no little opposition because of their extreme radicalism, and they had to proceed with unusual care. John Adams has left an interesting account of their

methods. "We have had numberless prejudices to remove here. We have been obliged to act with great delicacy and caution. We have been obliged to keep ourselves out of sight, and to feel pulses and sound depths, to insinuate our sentiments, designs, and desires, by means of other persons, sometimes of one province, sometimes of another." A conservative member from Maryland put the situation somewhat more bluntly. "Adams with his crew, and the haughty sultans of the South, juggled the whole conclave of the delegates."

As is generally the case in political gatherings, the real work was done not in the formal sessions, but by the leaders meeting in little groups outside. John Adams and other delegates describe the round of dinners, luncheons, and parties, all of which afforded opportunities for getting acquainted, and for reaching agreements.

Three of the proceedings and acts of the Congress stand out with particular significance. One was the adoption of the Suffolk resolves, the product of the Boston radicals. These declared that no obedience was due to the Coercive Acts, and advised the people to prepare for defense. In giving its approval to these sentiments, the Congress committed itself finally and definitely to a policy of extreme radicalism. In addition to this official vote, Samuel Adams received private assurances that, should Massachusetts be driven to war, she could depend upon help from the other colonies.

The second step of outstanding importance was the defeat of the Galloway plan of union, the constructive program of the conservative delegates. This measure, prepared by Joseph Galloway, a conservative delegate from Philadelphia, aimed at the establishment of colonial rights within the empire, upon a solid institutional foundation. Under his plan each colony would retain its own legislature, with control over all local questions. For intercolonial affairs, and for imperial matters, there was to be a central government, with a President-General, appointed by the king, and a Grand Council, the members of which were to be chosen by the colonial assemblies. This body would act in all matters in which Great Britain and the colonies, or the colonies as a whole, or any two or more colonies might be interested. So far in its main outlines the Galloway Plan was similar to the Albany Plan of 1754. But there was a unique feature in Galloway's proposal which stamps him as something of a genius. The Grand Council was to have the standing of a branch of Parliament. Measures pertaining to the colonies might originate either in

Parliament or in the Council, and the approval of both bodies was necessary before an act could become effective.

The plan had certain obvious advantages: it provided for the badly needed central authority, but at the same time preserved the colonial legislatures; and Parliament, under this plan, would have had little chance to impose an unsatisfactory law upon the colonies. The Congress set apart a day for discussing the plan, and then, after discussion, defeated it, by the vote of a single colony. The radicals immediately expunged from the records every reference to the Galloway Plan, so the official *Journal* contains not a single hint even that such a measure existed. What the radicals wanted was unanimity, or if that was impossible, the appearance of it. It would never do to let the country at large know how much conservative strength there was in the Congress.

The third step was the adoption of the Continental Association. This recommended that after December 1, 1774, all imports of British goods should cease, and that, with few exceptions, there be no more purchases from Great Britain. Then, after September 10, 1775, all exports to England and to the West Indies were to be shut off. That the Association might be enforced, Congress advised every county, city and town throughout the colonies to appoint committees, with authority to blacklist all those who refused to comply with the Association.

The Congress also drew up a series of letters, communications, and resolutions, in which they set forth the colonial theory of government and taxation. These furnished the constitutional arguments which justified opposition to the assumed right of Parliament to tax the colonies, and there is no doubt that this battery of precedents makes an imposing display. These would appear, however, largely as products of the rationalizing process of the human mind. They were the ostensible reasons for colonial action, worked out to justify the real reasons. Samuel Adams, as a practical politician, understood this principle. "You know, there is a great charm in the word 'constitutional,'" he wrote at one time.

Important as these philosophical dissertations may have been, they cannot be compared in significance to the practical working agreements, like the Association, or to the unofficial assurances of help in case of war, which Adams got from the other delegates. It is this sort of thing, rather than the theorizing, which explains the Revolution.

APRIL 19, 1775

In the meantime, while the Congress was in session, and afterwards, the people in Massachusetts proceeded to sever the remaining ties that bound them to the British system. They did this with comparative ease, and the transition from dependent colony to independent state was soon complete. Towns held their meetings, regardless of the Act of Parliament prohibiting them, county conventions were held, and in October a so-called Provincial Congress met. Under the directions of this body the towns raised and trained their militia, while the Provincial Congress itself appointed committees of safety and supply. Once aroused, the country towns were impatient at the delay, and anxious to begin hostilities. Samuel Adams, however, hoped to throw upon General Gage the odium of making the first move, and during the winter he and other leaders succeeded in holding the towns in check.

On April 14 the Provincial Congress adjourned for a month. Gage, who had been watching proceedings carefully, felt that the time had come to arrest John Hancock and Samuel Adams, and incidentally to seize or destroy some of the military stores which the committee of supply had been collecting at various points. Rumors of his proposed move were soon afoot, and on April 18, the leaders sent out a hurried call for the Provincial Congress to reassemble. On that very night, Gage started his famous expedition on its way to Lexington and Concord. The countryside was warned by William Dawes and Paul Revere, so that the reception accorded the troops was considerably warmer than Gage had anticipated. Failing to get either Hancock or Adams, the troops succeeded in destroying some of the stores. Then, pursued by steadily increasing bands of "minute men," they made their retreat back to Boston.

The news was carried rapidly from place to place, reaching New York on Sunday, April 23, Philadelphia at five p. m., April 24, Virginia April 30, Charleston, South Carolina, May 8, and from all quarters came reports of a determination to stand by Massachusetts. On May 10, 1775, the second Continental Congress assembled in Philadelphia.

In Boston, Gage's forces were virtually besieged by the heterogeneous collection of local militia groups. The next engagement, on June 17, was the battle at Bunker Hill. News of this confirmed the views of the British Cabinet that the Americans must be suppressed

by force. A few days before the battle took place, Congress appointed George Washington to take command of the army around Boston, and the war had begun in real earnest.

Any summarizing of causes of so complex a movement as the Revolution is somewhat unsatisfactory and the conclusions are generally open to criticism at some point. Perhaps the most important single cause is the growth of the colonies, which gave them a steadily increasing sense of their own importance. This is especially true in connection with the constitutional development centering in the colonial legislatures. By 1760 the Americans had become politically self-sufficient, and any encroachment on the field of their legislatures was bitterly resented. Therefore the change in British policy, with reference to a colonial revenue, ran counter to one of the main lines of colonial development. The formula of "no taxation without representation" was simply the objective statement of this feeling regarding the preëminence of the local assemblies, a genuine political slogan. In the case of Virginia, the causes of ill-feeling were bound up with debts owed to British creditors and with the western policy as expressed in the Proclamation of 1763. The commercial colonies were complaining of and opposing the Customs service. British policy had given offense, and grave offense, to a number of colonies.

Added to all this were the local controversies, such as that between the western and eastern counties in Pennsylvania, or the one between the ruling and unfranchised classes in New York. Imperial and local questions were closely blended in these, and the leaders in the colonial controversies used the imperial policies as helpful issues.

The determining factor seems to have been the work of the colonial political leaders, among whom Patrick Henry and Samuel Adams stand supreme. Rarely if ever will whole communities rise in rebellion against acts of government, no matter how objectionable they may be. The people have to be reached through their emotions, and once these are aroused, they can be directed almost at will by the right man. It is the emotional storm that makes revolution possible, and this is never brought on by any mere discussion of abstruse constitutional questions. For three years, Adams assiduously fostered and cultivated a burning hatred of Great Britain, without which the Revolution would have been a very different kind of movement. British blunders furnished him with his material, but the real driving power came from him.

CHAPTER XVII

THE WAR IN THE NORTH

EARLY MILITARY OPERATIONS

For the war which began on April 19, the Americans could hardly have been more poorly prepared. The leaders who had been instrumental in bringing on the crisis were specialists in the art of arousing the emotions of the people, trained in the methods of politics. It remained to be seen to what extent, if any, they could turn their hands to the infinitely more difficult tasks of organizing the population for war, and of directing that war into successful channels. The country had to find out whether or not revolutionists could be transformed over night into statesmen. The second Continental Congress, which met at Philadelphia on May 10, 1775, was a group "without unity in their instructions, with no power to form a government, without jurisdiction over an acre of territory . . . with no money, no laws, and no means to execute them." The members were as lacking in unanimity as the whole body was in authority. In fighting Great Britain, the greatest naval power in the world, the Americans began without a single war vessel. As for an army, neither the "minute men" who drove Percy's troops from Concord back to Boston, nor their compatriots who flocked to the siege of Boston could measure up to the accepted standard. Carrying the new theory of self-government out to its logical conclusion, the privates elected their own officers, and then treated them as servants of the people are apt to be treated: with contempt. Local jealousies and rivalries, added to the lack of discipline, made carefully planned movements virtually impossible.

On June 15, the Continental Congress appointed George Washington as commander-in-chief of the army, much to the disappointment of John Hancock, who felt that he alone was really qualified for the position. It often happens in the case of a long war that the real leader is developed by the contest itself, and consequently does not appear at the start. But while the Revolution brought to light the

usual number of incompetent upstarts, of whom the adventurer Charles Lee was perhaps the worst, it produced no one who could compare with Washington in general, all-round ability. A man of sound judgment, endowed with far more than the average allowance of common sense, tenacity, and courage, Washington stands supreme among the whole Revolutionary group. Among all the qualities which mark him as a great man, perhaps none stands out more clearly than his absolute downright sanity, his capacity for living in the world of fact, and for seeing things as they were.

Certainly any ordinary man would have been discouraged by the conditions prevailing around Boston. His army consisted of militia units, which changed rapidly, as their terms of service expired; his paymaster, commissary general, and quartermaster general all reported absolute bankruptcy. Most of the troops were close to mutiny. Added to all this were the petty rivalries in the ranks and among the officers. It is small wonder that Washington alternately prayed and cursed. "Such a dearth of public spirit, and want of virtue," he wrote, "such stock-jobbing, and fertility in all the low arts to obtain advantages of one kind or another, . . . I never saw before, and pray God I may never be a witness to again. . . . Such a dirty, mercenary spirit pervades the whole that I should not be at all surprised at any disaster that may happen."



BOSTON AND VICINITY

In the meantime, even before Washington had been appointed commander-in-chief, Massachusetts and Connecticut—separately, not jointly—started expeditions against Crown Point and Ticonderoga, the key forts on the roads from Canada to the Hudson River. On May 10, 1775, the combined forces under Ethan Allen captured Ticonderoga, while Crown Point was taken by Seth Warren. This venture was followed by the capture of Montreal in November, but the failure of the combined Arnold-Montgomery attack on Quebec made further ventures in Canada impossible. On June 17, 1775, the American forces were driven from their important position in Charlestown,

although their brilliant defense in the battle of Bunker Hill made the British success a Pyrrhic victory.

Washington's kaleidoscopic forces managed to maintain the siege of Boston, and bad as their situation was, that of the city itself, and the British forces in it, was worse. Finally, on March 4, 1776, Washington fortified Dorchester Heights, which commanded the whole city. It could no longer be held, and on March 17, General Howe sailed for Halifax, taking with him some nine hundred Loyalists.

THE DECLARATION OF INDEPENDENCE

While Washington was trying to hold his army together around Boston, Congress and the country were gradually working toward a formal separation from the British Empire. To take this logical step, however, proved to be even more difficult than bringing on the war. At the beginning of the winter of 1775–1776, not a single colony was ready officially to sanction the break, and even in the following spring, after the British had left Boston, there was still vigorous opposition to be overcome. From the beginning the Tories or Loyalists were determined to prevent a separation, or if that should prove impossible, to stave it off as long as possible, and their influence could not be ignored. In that group were to be found not only office holders under the Crown, and the Anglican clergy, but large numbers of conservative individuals, merchants, professional men, and others, who saw far more to lose in a general overturn than there was to gain in proclaiming independence.

The Loyalists were opposed by the organized radicals, men in charge of the committees of correspondence and provincial congresses, which picked up the reins of government where they had been dropped by officials of the old order. Because these leaders controlled the machinery and the various organs of publicity, they were able to make a deeper impression than the conservatives. Furthermore, the course of events was working on their side. The efforts of the British government to suppress the rebellion led inevitably to acts which roused even the moderate Americans to align themselves with the radicals.

To the gradually growing sentiment in favor of separation a tremendous impetus was added by the publication of Thomas Paine's pamphlet, *Common Sense*. Somewhat like Voltaire in the clearness with which he phrased his obvious, self-evident criticisms of the

established order, Paine brought the argument for independence down to the level of recently chosen legislators or of privates in Washington's army, the very ones who would shape opinion for months, if not years to come. Himself an English visitor, Paine ridiculed the whole theory of kingship, and at the same time, he made light of the venerated English constitution. Then, appealing to that pride in the coming greatness of the country which characterized every true American of the time, Paine pointed out the absurdity in the control of the continent by an island three thousand miles away.

The pamphlet sold by the hundred thousand copies, and the effect of it was soon evident in the more determined stand taken by the promoters of independence. The immediate problem was to win over the Continental Congress, a very difficult matter, as conditions were. The five middle colonies had specifically instructed their delegates in that body to oppose independence, and the winter had passed before a single state officially sanctioned the step.

But during May and June sentiment in behalf of independence developed rapidly. The radicals were able politicians, and arousing public sentiment was the work for which they were best trained. They did this by working through their customary agents, the local committees, and by bringing whatever personal pressure they could upon their hesitant colleagues in Congress. On June 7, in compliance with instructions from his state, Richard Henry Lee made the motion "That these united colonies are, and of right ought to be free and independent states." Even then the conservative delegates, especially from the middle states, held back, as they knew that public sentiment in their own states was still lagging far behind Virginia and New England. As a result the radicals had to agree to a delay of three weeks, although in the interim a committee was set to work on the form of a declaration.

During this interval, very opportunely for the radicals, news came from England that the king had arranged to buy the services of twenty thousand German troops, to be used in subduing the Americans. Even then, the regular government in Pennsylvania had to be overthrown, and the hitherto unfranchised elements brought to the front, before that state could be won over to independence. After a careful discussion, in which John Adams and John Dickinson took the leading parts on the two sides, on July 2, Congress committed itself definitely to a resolution of independence.

On July 4, this resolution was approved by twelve states, New York being the one to stand out.

The completed document known as the Declaration of Independence was drawn up by a committee, although Thomas Jefferson did most of the work. The Declaration of Independence is not the sort of production to be subjected to cold analysis, and the historian who attempts to do so misses its whole point. The author aimed to tell the people what they already knew, and to encourage them in the course they had taken. He was not bound down to an exact statement of fact, because such statements are often out of place in revolution. Nor was he required to set forth impartially the two sides to the dispute. To do so would have destroyed the effectiveness of the greater part of his battery of charges against the king. What he was aiming at was inspiration, and no one could deny that he succeeded. Even more effectively than Paine, Jefferson put into enduring phrases the products of highly excited minds, ideas shaped under the pressure of "exalted moral fervor." And under Jefferson's clever handling these thoughts which had long been the common property of the radicals took on a new guise and aroused a higher pitch of enthusiasm. With the Declaration of Independence the country reached the climax toward which strict logicians like Samuel Adams had been pushing it for years. Ending as it virtually did the lingering hopes of a peaceful reconciliation, it forced the moderates into the decision which they had hoped to avoid. Henceforth lines between "Patriots" and "Loyalists" were drawn more sharply, and opposition to the radicals was automatically transformed into treason to the country. In New York the Loyalist element was especially strong, and its hopes were continually buoyed up by promises of immediate and effective help from Great Britain. But on July 9, the New York Provincial Congress adopted the Declaration of Independence, thereby creating at least the appearance of American unity.

OPERATIONS AROUND NEW YORK

For three months after General Howe's evacuation of Boston important military movements came to an end, and the British government worked out its plans for a regular campaign. These made New York the next scene of action. Undeterred by its three thousand mile distance from the actual fighting, the Cabinet undertook to direct in detail the movements of its troops. In broad out-

line, the policy approved by the civilian heads was the attempted separation of New England from the other colonies, along the line of the Hudson River, with the ultimate object of starving New England into submission. In arriving at this decision the ministry ignored the obvious factors working against them: the stretch of seacoast to be blockaded, the difficulties of transporting the necessary troops to America, and of moving them from place to place once they were there. Neither the British navy nor the army was in condition for a vigorous war, as the officials in charge knew only too well. But in spite of the warnings of military experts, the ministry proceeded to execute its plan.

After the campaign around Boston came to an end, Washington sent his troops on to New York. He arrived there in April 1776, before the British movement had even begun. Shortly before July 1, General Howe's transports appeared off Sandy Hook, followed by a second expedition in charge of his brother, Lord Howe. In spite of the presence of the two principals, actual fighting did not start until the end of August. The delay was due to Lord Howe's attempt to bring about a reconciliation. But with the Declaration of Independence still new, the leaders were in no mood to consider peace on any terms that Howe could offer, and when the realization of that fact was driven home in the minds of the Howe brothers, real operations were begun.

General Howe was to seize New York City, while General Carleton was to come down from Canada, by way of Ticonderoga, winning control of Lakes Champlain and George, as well as the upper Hudson, as he came. Howe's part of the work was not especially difficult, in view of the marked discrepancy between English and colonial forces. The British forces numbered about twenty-five thousand men, well trained and equipped, while Washington was obliged to rely upon an ill-trained, poorly organized army of some eighteen thousand. Howe began by a successful attack upon the American position on Long Island, and as a result Washington was compelled to withdraw his remaining forces there, in the hope of holding New York. Because of the superior numbers of the British, even that proved to be impossible, so Washington again retired, to Haarlem, while the Howes occupied New York. From that time until the end of the war the town remained in British hands.

But the seizure of New York was only half the plan, and British

good fortune was considerably less evident in the attempt to execute the other part. In coming down from Canada, General Carleton followed the retreating American forces, under command of Benedict Arnold. In this retreat, Arnold revealed the extraordinary vigor and resourcefulness which stamped him as one of the ablest commanders in the American cause. Carleton succeeded in reaching Fort Ticonderoga, but instead of continuing the fight he left the Americans in possession and returned to Canada. The British might well have felt that the summer had been wasted.

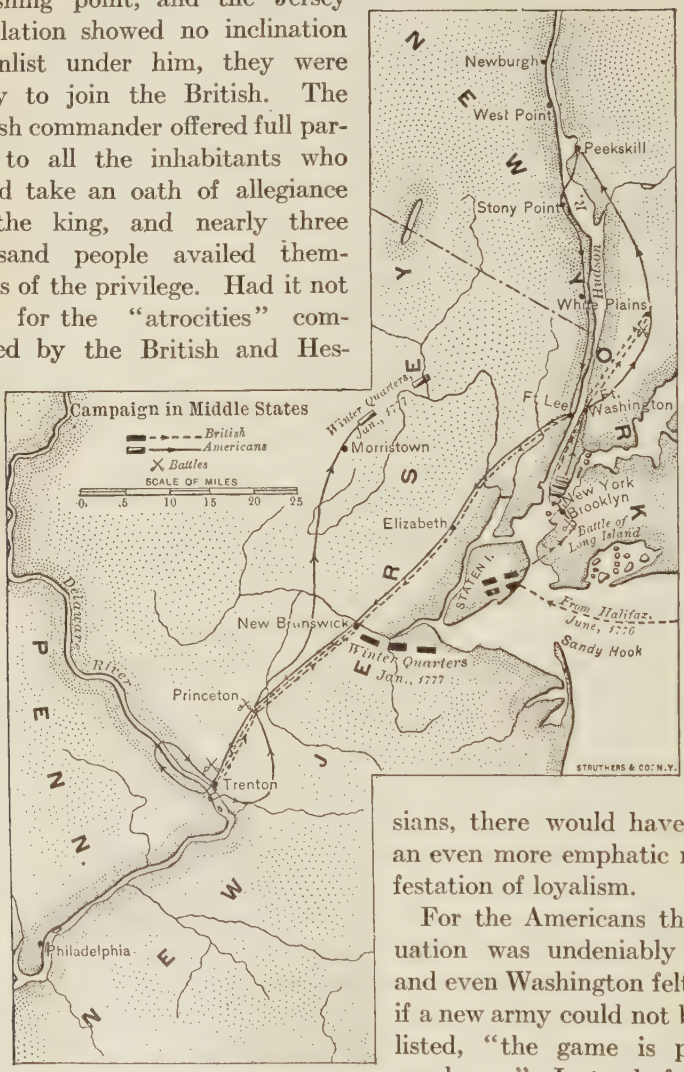
Because of Carleton's failure, General Howe was compelled to alter his own plans. Thenceforth for the rest of the year, he aimed to drive Washington first out of New York, and then out of New Jersey. In this task he was helped by the weakness of the American forces. Washington was still obliged to rely upon his motley collection of militia, which was daily becoming more notoriously unfit. They left headquarters, sometimes by whole regiments, often by whole companies at a time. Discipline, never any too good, became almost nonexistent during the fall of 1776. In spite of Washington's colorful descriptions of his troops, and his moving appeals for a regular army, Congress could not be roused, so he had to oppose the British with whatever men happened to be with him at the time.

General Howe, always operating with superior forces, drove the Americans under Washington away from the Hudson, over into New Jersey. At the same time, General Charles Lee had been left in command of some seven thousand troops on the east side of the Hudson. Ordered to join Washington, he refused, and thus made it impossible for Washington to hold his ground in New Jersey. Lee seems to have reasoned that if Washington should fail, he, as next in rank would become commander-in-chief. Luckily for the American cause, that calamity did not take place.

On December 8, Washington completed the work of transporting his army across the Delaware, opposite Trenton. Five days later Lee was captured. The steady advance of the British threatened Philadelphia, and so alarmed Congress that its sessions were transferred to Baltimore, where they would be, for the time, safely out of reach of the British troops.

During this campaign in New Jersey the British had ample evidence of the widespread Loyalist sentiment in that quarter. Prepared to pay for their supplies with gold, the invaders had no diffi-

culty in procuring all the provisions and horses which they needed. Moreover, while Washington's forces were dwindling almost to the vanishing point, and the Jersey population showed no inclination to enlist under him, they were ready to join the British. The British commander offered full pardon to all the inhabitants who would take an oath of allegiance to the king, and nearly three thousand people availed themselves of the privilege. Had it not been for the "atrocities" committed by the British and Hessians, there would have been an even more emphatic manifestation of loyalism.



For the Americans the situation was undeniably bad, and even Washington felt that if a new army could not be enlisted, "the game is pretty nearly up." Instead of yielding to what would have been justifiable discouragement, Washington determined to try the effect of an attack. Reinforced by the men

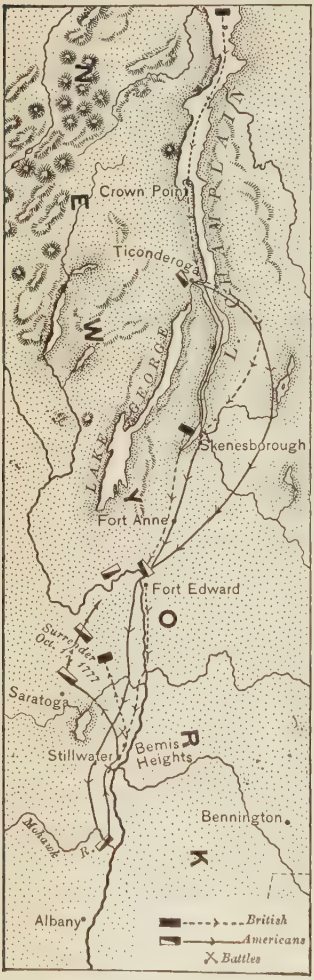
long withheld by Lee, he planned to recross the Delaware, and strike at the center of Howe's line at Trenton. Christmas night was the time chosen. It proved to be so stormy that only one third of his army could get over, and even that work consumed ten hours. Then, after a nine mile march through the storm, his little division of twenty-five hundred men took the town absolutely by surprise. Unable to offer any effective defense, the enemy, mostly Hessians, were driven out of town, and then compelled to surrender. Washington's troops took over a thousand prisoners.

This brilliant victory aroused the flagging interest of the Americans, and men began to reënlist. On December 29, the American commander was able to cross the river again and occupy Trenton. Cornwallis hurried out from New York, and, picking up a force from the British camp at Princeton tried to capture Washington. Neatly outmaneuvering Cornwallis, Washington attacked the remaining forces at Princeton, and then retired to spend the winter at Morristown, safe from the enemy, but unfortunately subjected to almost every hardship except attack.

Washington's exploit at the beginning of winter deprived the British of all their gains of the preceding summer and fall, with the exception of New York City. More important still, American courage and hope were renewed; and the British were correspondingly depressed. The Hessians, with a very sensible eye out to the advantages of being on the winning side, began to desert to the American standard. As for the Loyalists, who had taken the oath of allegiance to the king, they found themselves left to the none too tender mercies of the American troops, doubly bitter toward the population because of the recent widespread sympathy with the British. Washington forced all who had taken the British oath to take a new one to the United States, or retire to the British lines. Many did so, and not a few carried certificates of loyalty to both sides, to be used as the occasion seemed to demand.

The campaign during the fall and winter of 1776–1777 had demonstrated once more the need of something better in the shape of a military force than the uncertain militia, and Congress was at last induced to authorize a genuine army. Along with the new plans for enrolling men, Washington himself received a marked increase in his own authority. And yet, in spite of the good intentions of Congress, state jealousy of a central government was still so keen that the local

authorities were always standing in his way. Although he succeeded in increasing his army to about four thousand men, he could hardly hope to accomplish much with such meager numbers.



BURGOYNE'S CAMPAIGN

THE SARATOGA CAMPAIGN

In the spring of 1777 the British authorities decided to renew their efforts to separate New England from the other states. This time they made preparations for a more comprehensive attack, and at the time all the chances appeared to be in their favor. General Burgoyne was picked to lead an army down from Canada, along the traditional route past Crown Point and Ticonderoga to Albany. Colonel St. Leger was to take a force to Oswego, and then work eastward, through the Mohawk Valley, there to meet Burgoyne. Finally General Howe was to move his army up the Hudson, and by the time he reached Albany, the main objective of the British would have been achieved.

Early in June Burgoyne started south with an army of eight thousand men, large enough by itself to have given any army hitherto raised by the Americans a stiff fight. In the course of a month he had reached and captured Ticonderoga. The loss of this fort, though by no means a disaster to the American cause, was at least an indefensible blunder. General Gates, whose manner and bearing covered little but incompetence, had neglected to make the place impregnable by fortifying a commanding hill less than a mile away. When the British occupied the summit, the fort became untenable, and the garrison retreated to Fort Edward.

After leaving Ticonderoga the British troubles really began. Because of the distance from Canada Burgoyne was compelled to rely upon the surrounding country for supplies. These, however, were pretty generally removed as he advanced toward Fort Edward. As his wants became serious, he determined to send an expedition over to Bennington, to seize American supplies stored there. This gave General John Stark, under a New Hampshire commission, an opportunity to make himself famous. The British and German raiding party was beaten, and the New England farmers began to hurry toward New York, hoping to capture Burgoyne's whole force.

St. Leger started from Oswego in July. He encountered various difficulties, though none were insuperable until he got almost within striking distance of a small force under Benedict Arnold. By a clever ruse on the part of Arnold, St. Leger's army was thrown into a panic, and virtually disbanded. With a few followers the Colonel himself made his way back to Montreal. Thus the expected union of the two northern forces failed to take place, and Burgoyne's situation became dangerous. Losses which he had necessarily incurred in getting down below Fort Edward had left him with only three thousand men. If he had been a free agent, with power to move his troops in accordance with his own obvious needs, he would have retired to Fort Edward, but his orders from England compelled him to push on toward Albany, to join Howe.

And where was Howe? Nowhere near Albany, but down on Chesapeake Bay, moving toward Philadelphia. Early in June he had received from the ministry the plan of the northern campaign, without, however, any instructions for himself. His own plan of capturing Philadelphia had been approved, and without appreciating the absolutely vital necessity of going north, he took fourteen thousand men to carry out his own campaign. On August 25, he received the first intimation that he had been expected to join Burgoyne at that very time, at Albany, obviously an impossibility then.

While Howe was marching toward Philadelphia, Washington delayed his progress. After the city itself was captured he narrowly missed defeating the British force at Germantown. During October and early November Howe was occupied in getting control of the Delaware, so that he might hold Philadelphia.

By way of preparation for a crushing blow at Burgoyne, Congress deprived the thoroughly competent, trustworthy General Schuyler

of his command of the northern army, and gave it to Gates. Never had the ignorance of Congress been demonstrated more effectively or more completely. Gates was generally incompetent, and had he really taken charge, it is barely possible that even the overwhelming numbers which the Americans then had would not have brought victory. As it was, Benedict Arnold did the work that forced Burgoyne into the corner at Saratoga, and so made his surrender inevitable. On October 14 he asked for terms, and three days later the "convention" was signed. According to the terms of the agreement, the British army was to go under guard to Boston, and from there to England, under promise not to serve again in the war. Congress, however, violated the agreement, and the troops were not allowed to go home.

Burgoyne's surrender marked the turning point in the war. Hitherto, although the British had won no decisive success, neither had the Americans. Although Washington held New Jersey, his achievements there had had no appreciable effect on the policies of the British government, and it held out no hope of an early end to the war. But Burgoyne's surrender meant the complete failure of a most promising campaign. Furthermore it held out so much hope of an American victory that France became willing to enter the contest against Great Britain. The year 1777 closed with a far brighter outlook for the Americans than had 1776.

This was true, in spite of the hardships of Washington's army in winter quarters at Valley Forge. There, because of the shortcomings and incompetence of the commissary department, while ample supplies were held up for want of transportation, Washington's three thousand men were left literally naked, and almost starved. The surprising thing is that they endured as much as they did. Perhaps the absence of mutiny or absolute disintegration of the army can be explained by the almost continuous change of regiments, as one short term enlistment gave way to another. But in spite of the difficulties, Baron Steuben used the winter to give the men something which many apparently had never received before, the rudiments of regular army training.

While the Americans were suffering at Valley Forge, the British were living in splendid luxury in the aristocratic city of Philadelphia. With an impartial attitude not wholly admirable the inhabitants bestowed upon the British just as much cordiality as they had only a short time before shown the American Congress.

CHAPTER XVIII

REVOLUTIONARY PROBLEMS

Important as the military movements may have been during this first part of the Revolution, from 1775 through 1777, there were various other activities going on, some of which were intimately concerned with both the contemporary and succeeding development of the young nation. The outbreak of war meant the annihilation of British authority in all the regions not actually occupied by royal troops. The time required for the completion of this process varied in the different colonies, but after New York had accepted the Declaration of Independence little more work of this kind remained to be done. The overthrow of the old system necessitated the establishment of a new one, and while the Americans were practicing the art of war, they were experimenting with the science of government.

Under certain conditions the repudiation of the established political system might plunge a whole population into anarchy, but the separation from England did not carry the Americans quite so far. During the colonial period the various governments had acquired, through their elective assemblies, a preponderant influence in public affairs. Then, as the revolutionary movement gained headway, the radicals who had assumed leadership took on more and more the functions of executive bodies. Thus, while the external shell of the old system remained until the end, the organism within had almost completely changed. When the break came this revolutionary organism was all ready to come into the open, and in so doing it enabled the people to preserve a semblance of order until something better could be evolved. The committees of correspondence and of safety, the county conventions, and the provincial congresses all reveal the importance of the ruling group of radicals.

REVOLUTIONARY CHANGES

But the Revolution could not proceed without certain dangerous approaches toward what the eighteenth century philosophers liked to call "a state of nature," and before well ordered new governments

could be started there were signs of danger in all directions. During the preliminary contests the leaders had generally come from the ruling class, but they had called upon the unprivileged for assistance. The participants in Stamp Act mobs or in the parties for subjecting importing merchants to tar and feathers had thoroughly enjoyed their novel apprenticeship in politics. Once aroused, they were ready to try their own hands at running the state, and their efforts alarmed their former managers. Artisans, farm laborers, small farmers, almost everybody in fact who had been on the outside of the old government seemed determined to have a voice in the new. In this determination they found ample encouragement in the prevailing revolutionary political philosophy. The radical leaders had talked much of liberty, of representation, of the tyranny of government, of the horrors of servitude. All this appealed to the population. If the colonies as a whole could throw off the rule of the Empire, why should the citizens not do the same thing with the authority of the state? Liberty is a word capable of various interpretations, and it seemed that almost everybody had translated it into his own particular terms.

The year 1776 especially was a time of innovation, when it seemed that almost everything was to be altered. Perhaps one of the most alarming symptoms appeared in Massachusetts, the original home of the public school system. Various observers reported that the towns were dismissing the teachers, because they could not keep the schools going and support the war at the same time. With the schools closed, the children were left in idleness and mischief, "given up to all evil," so Abigail Adams wrote.

Nor was this all. For a time it seemed that the Revolution was upsetting the very foundations of organized society. Government and property had so long been indissolubly connected that any attack upon one was certain to invite attacks upon the other. Even in 1775 the Provincial Congress in Massachusetts reported that in the minds of some people there was an alarming abatement of the sense "of the sacredness of private property." This was natural. The unprivileged elements had been not only permitted but encouraged to destroy private property before war came, and when they got the chance they turned the same methods to account for themselves. Everywhere debtors were refusing to pay debts, and when their creditors resorted to the courts, the courts were overthrown. In

June 1776, a small mob of unimpeachably good "patriots," armed with clubs, prevented the court from sitting in Bristol County, Massachusetts. As a matter of fact courts were allowed to try cases in only two counties in the state: Essex and Middlesex. On all sides came complaints about the "levelling spirit," the "contempt for authority," the general unwillingness to submit to law. For four years Berkshire County absolutely ignored the authority of the state government, and threatened to secede from the state.

In thus departing from the rules which ordinarily control civilized communities these enthusiasts were merely putting into practice the political generalities which had circulated freely at the beginning of the war. What was government anyway, but an agreement between individuals? There was "no witchcraft" in it, so one amateur political scientist affirmed, while another modestly stated that there was little needed but a legislature. "I incline to think that this," he wrote, "is all the learning necessary to moddle a government." One Massachusetts town resolved that "we do not want any Govinor but the Govinor of the Universe and under him a States General to consult with the Wrest of the U. S. for the good of the whole." As for a judiciary, the same town advised each town "to Chuse a Comitte . . . of judges Consisting of a number of wise understanding and Prudent Men that shall jug and Detarmin all Cases between Man and Man."

As they reduced political theory to its lowest terms, so they likewise became suspicious of wealth and learning. Newspaper articles warned the people to beware of "men of liberal education," and to refuse to vote for lawyers, doctors, or even ministers. It is not surprising that the newly chosen legislatures should have shown signs of political degeneration. Some of the members of the Massachusetts House of Representatives, elected in 1775, so Elbridge Gerry wrote, "might have lived till the milennium in silent obscurity, had they depended on their mental qualifications to bring them into public view." And according to report, James Otis, for some time insane, in one of his lucid intervals gave forth the following terse comment on the men who were in charge in Massachusetts in 1777: "When the pot boils, the scum will arise."

In Pennsylvania the elements that had long been struggling for recognition before the Revolution seized the opportunity to get what they wanted and in 1776 they overthrew the proprietary government and set up a new one of their own. In this the western counties

received their due share of representatives. The same movement toward a rearranged political and social order could be observed in many of the colonies. In Virginia, to take another conspicuous case, Thomas Jefferson and his associates from the Piedmont broke the power of the Tidewater aristocracy for all time. The Revolution provided the democratic representatives of the inland counties with an opportunity for abolishing the law of entail, and for disestablishing the Episcopal Church. In all directions bulwarks of the old order were being swept away.

STATE GOVERNMENTS

In this atmosphere of change and reform the people attacked the problem of reorganizing their state governments, to bring them into harmony with the new conditions. In Massachusetts the Provincial Congress gave way to a new House of Representatives in 1775, and until 1780 the state was governed under the charter, so far as that was possible. The office of governor was declared vacant, and the Council took charge of executive work. Before the adoption of the Declaration of Independence New Hampshire, Virginia, and South Carolina, in addition to Massachusetts had set up governments independent of the Crown. By 1780, when Massachusetts finally adopted a new constitution, eleven out of the thirteen states had put their political affairs upon a new foundation. Connecticut and Rhode Island both continued their government under their charters. They had been virtually independent republics before 1775, so there was really little need of change.

So far as was possible these new governments retained many features of the old. The elective branches of the legislatures were increased in size, to provide for a more equitable representation, but their powers and functions were not seriously altered. The members of the upper houses were thenceforth elected by the voters in most of the states. In Maryland they were chosen by electors, in Georgia by the lower house. The executive underwent a more complete change. In all the New England states the governor was elected by the voters; in New York by the wealthy voters, and in the other states by the legislatures, except in Pennsylvania for a time, where they substituted a plural executive for the governor.

Theoretically the new state executives had less authority than their royal or proprietary predecessors; actually there was very little

difference. To be sure the executive was carefully hedged about with restrictions, so that he could never overawe the legislature. But in practice, during the later colonial period, the assemblies had completely overshadowed the governors. What the states really did in shaping the powers of their executives was to leave them pretty much as colonial practice had made them.

THE ARTICLES OF CONFEDERATION

Because of a long political experience, the states had comparatively little difficulty in working out a satisfactory system of local government. The question of a national government however was far more complicated. In the colonies there had never been any genuine, widespread, deep-rooted desire for union; in fact the desires generally looked the other way. Local pride was strong, and confidence in the local legislatures even stronger. These were close at hand, within easy reach, and they could be used as bulwarks against oppression from without. Even at the approach of war, preferring still to rely upon themselves, the states made no serious efforts to organize an effective national government. The first and second Continental Congresses were nothing more than meetings of diplomatic agents sent out by the states.

The only experience which the Americans had had with a central government came through their connection with the Empire. Great Britain had made experiments with the issue of central control, and these had not been cordially received. To a large extent the Revolution resulted from the British determination to establish a central authority over the colonies; such being the case, the Americans could hardly be expected to do at once for themselves the very thing they had forbidden Great Britain to do for them. Neither Patrick Henry nor Samuel Adams saw any good in building up a power over and above their state legislatures.

But it was one thing to argue in abstract terms about the dangers inherent in a superstate, and a very different one to attempt to conduct a war without the proper machinery. Thus the very task of preventing the establishment of one central government made necessary the establishment of another. In June, 1776, Congress appointed a committee to draw up some articles of confederation. The committee presented its report on July 12, and then in November 1777, after nearly a year and a half of debate, and with many misgivings,

Congress submitted the Articles to the states. Ratification was not completed until 1781, the last year of active fighting.

In framing the plan, and in the subsequent discussion, the American statesmen had to solve the puzzle which had been troubling the British Cabinet ever since the seventeenth century: that is, the proper distribution of power. How much must the central authority have, and how little could the states manage to surrender? As the first few years after the war made plain, the Articles did not go far enough to remedy the difficulty.

In the Confederation each state retained its "sovereignty, freedom and independence, and every power, jurisdiction and right, which is not by this confederation expressly delegated" to the United States. Although the states might send as many as seven representatives apiece, no state could have more than one vote in Congress. The provision which placed upon the states the burden of paying their own delegates tended to keep the average number well below seven.

Every government must have funds, but the question of imperial taxation had been one of the grievances of the Revolutionary radicals, and their sensibilities could not be ignored. So Congress received no power to levy taxes or tariff duties of any kind. It might request the states to contribute, but it could not compel them to do so. Furthermore, all authority to regulate trade was left entirely in the hands of the states; this arrangement soon proved to be a prolific source of friction. In order for Congress to act at all, the approval of nine states was necessary, and for amendments the unanimous consent of all the states was required. As a result, action became difficult and change in the manner provided impossible.

In the operations of all these governments, state and national, one of the most pressing needs was money. Under the circumstances, the resort to paper seemed to be the easiest way out. Much to the disgust of the colonists, Parliament had prohibited the further issue of mere printed money; now that the Americans were free, they could go as far as they liked. Before the war was over, Congress had turned out more than $240,000,000, while the states almost kept pace with a production of $200,000,000. While the new governments might be independent of England, they were still subject to certain elementary laws of economics, and these proved to be far more arbitrary and unbending than any acts of Parliament. Both con-

tinental and state notes depreciated rapidly as they increased in volume, and the majority of people who used money were subjected to maddening inconvenience and generally to serious loss. Speculators and debtors of course turned the paper tide to good account, but the more respectable members of society, as usual, were the hardest hit. Prices rose to unheard of heights, and the efforts of the legislatures to prevent any further advance were met with a refusal of the farmers to sell provisions, unless they could get what they asked.

In addition to the staggering burden of paper money, the states had to carry another due to the disappearance of their trade. During the early part of the war commerce almost came to an end, and although privateering made up some of the losses, the merchants were far from their former prosperity when the war ended. The decline of commerce destroyed the market for surplus farm produce, and after two or three years of war-time prosperity, the farmers began to suffer. Finally, the New England fisheries were closed, for the duration of the war. Domestic manufacturing kept the people supplied with bare necessities, but the comforts and luxuries of colonial times were gone.

THE LOYALISTS

To thousands of Americans this steady accumulation of troubles and problems which followed in the wake of the war seemed like a high price to pay for the privilege of quitting the British Empire. No conservative likes to see society turned upside down, and except at extraordinary intervals the majority of people are conservative. As they watched incompetent upstarts attempting to manage the army or the government, and as they saw their property carried away in the flood of paper money, with commerce stagnant and agriculture suffering, it is not surprising that longing for the comfortable times before the war should have tended to smother enthusiasm for liberty. In this way the economic and social by-products of the war tended to accentuate the problem of the loyalists. No one can tell how many of these there were, because numbers of level-headed Erasmians went through all the external motions of conformity and so concealed their real views. Some authorities have divided the American people during the Revolution into three groups, approximately equal in size: extreme Loyalists, extreme radicals, and neutrals. If this analysis is correct, it means that the Revolution never had the active support of more than a third of the total

population. That is probably as large a percentage as ever upholds a revolution. The distribution of Loyalists varied greatly in the different sections. In the middle states they seem to have been clearly in the majority, while in New England and Virginia they were comparatively scarce.

Bitter enough at the start, the relations between Whigs and Loyalists became steadily worse as the war continued. The open and avowed Loyalists showed their feelings by supporting the British troops whenever possible, and by enlisting in the British army. According to Van Tyne, New York alone furnished about fifteen thousand men for the royal army and navy. Also Loyalist militia units were organized, and the rumor was that these companies in New York outnumbered Washington's whole army. Had the British government given a little more vigorous encouragement to this form of activity, the Loyalist troops would have been far more numerous.

Naturally the states and the Continental Congress laid down policies for destroying this sort of opposition. Although in the early days of the war attempts at conversion were common, these soon gave way to a policy of revenge and what the Loyalists themselves described as persecution. Those who stayed at home were subjected to careful control, deprived of suffrage rights, and refused the privileges of citizenship if they would not take the oath of allegiance. They could not hold office, and they had no rights in court. No Loyalist could bring a suit at law, serve as guardian, make a will, buy or sell land, or serve on a jury. In order to make these restrictions more effective, the state legislatures passed laws prohibiting all speaking or writing against the patriot cause. It became a criminal offense to speak disrespectfully of Congress, or to argue in favor of British authority in the United States, or to speak against the raising of troops for the war. Because spies were always at work, on both sides, it became necessary to identify strangers, and every traveler had to carry a certificate of "Americanism," from Congress or some duly authorized local committee. Innkeepers and stage-drivers were fined if they neglected to ask patrons to show their credentials. Tories of course could not get these certificates, so they were compelled to stay at home.

All these restrictions on what people like to call individual liberty have a familiar sound because of the very similar "pro-German" problem during the last war. No government will tolerate the things

which the Loyalists did if it is strong enough to suppress them, liberty or no liberty. During the Revolution, as in other wars, discreet people realized this fact and kept out of trouble. In England the government was severely criticized during the whole war, but there the Whig opposition was so powerful that the king did not dare attempt to crush it.

Some of the Tories left the states voluntarily, as did those who went to Nova Scotia with Gage in 1776. Others were expelled by the state governments, and banished either for the duration of the war or permanently. This was accomplished in some places through the operation of state laws, in others through the application of tar and feathers. As they went, their property was confiscated, sometimes indirectly by a system of fines and special taxation, sometimes by direct seizure. For years after the war this question of Loyalist property remained to vex the country.

Of the more prominent Americans who changed sides after the war had started, perhaps Silas Deane and Benedict Arnold were the most conspicuous. Deane was the first American representative sent to France, and before the formal alliance he succeeded in securing quantities of supplies. But he became involved in difficulties with Arthur Lee, and in more serious ones over his accounts, although Lee was probably responsible for those. Angered by what he considered Congressional meanness in refusing adequate reward for his services, he went over to the British cause.

BENEDICT ARNOLD

The case of Benedict Arnold is considerably more tragic than that of Deane. In the early part of the war he had made a brilliant record in fighting against overwhelming odds. It was Arnold who prevented Carleton from reaching Albany in 1776, Arnold who turned St. Leger's expedition into a dismal failure in 1777, Arnold who really deserves much of the credit for maneuvering Burgoyne into his blind alley at Saratoga. He did all this too in spite of the refusal of Congress, for political reasons, to give him proper recognition in rank.

When the British evacuated Philadelphia in 1778, Washington sent Arnold, temporarily incapacitated for active service, to take command in the city. While there he married a Tory wife, and, apparently dazzled by the atmosphere of extravagance, spent money faster

than was wise. Various accusations were brought against him, but all the serious ones were disproved. Then too Congress refused to allow certain claims of his in connection with his Canadian campaign early in the war.

Upset by all these difficulties, he deliberately determined to betray the American cause. To this end he asked Washington for the command at West Point, the key to the American position in the north, and got it without question, because Washington always had the utmost confidence in him. Then he promised to surrender the place to the British commander, Clinton. His plans were uncovered through the capture of Major André, but owing to an unfortunate blunder Arnold himself was able to escape to the British lines. To any man with a sense of honor the betrayal of trust stands above all other forms of dishonesty for downright meanness. This was Arnold's offense, and therein lies the tragedy, that one of the most courageous and most brilliant of the American officers should have so completely ignored his obligations as a gentleman.

With difficulties to contend with such as those just described, as well as almost countless others, it is extraordinary that the Revolutionary leaders could continue the struggle. That they did so is due in large measure to the resourcefulness of Washington. But even with this asset it is doubtful if the Americans could have won without the assistance of some other nation. Such help was finally secured from France.

CHAPTER XIX

FOREIGN RELATIONS AND THE END OF THE WAR

Early in 1776, Congress learned in a roundabout manner that the French government was ready to help the American cause, provided it could do so surreptitiously. On the strength of this rumor, Silas Deane was sent over as a secret diplomatic agent. He was instructed to find out where the French government really stood, and to secure as much assistance as possible. All this had to be done decently, so that the wrath of England might not be turned loose upon France, so Deane traveled under an assumed name. In order to ward off all suspicion he posed as a merchant engaged in the West Indian trade, and in sending home his reports he used invisible ink. With the help of French officials Deane found it possible to secure arms from the French arsenals, and to get them duly shipped across the Atlantic.

BEAUMARCHAIS

After Deane had been in Paris for a time, he came in contact with one Caron de Beaumarchais, a brilliant, fascinating social climber and all-round genius. A watchmaker by trade, he had bought his way into the social ranks of the nobility, and once there, he became one of the most conspicuous of courtiers. Incidentally he was a writer of some fame, with the *Marriage of Figaro* and the *Barber of Seville* to his credit. He was also a speculator in business, and a desperado in matrimony, suspected of having poisoned two wives. To a man with his love of the dramatic, the American War held out entrancing opportunities for deep intrigue, and even before Deane arrived, Beaumarchais was plying Vergennes, the French foreign minister, with a scheme for aiding the United States. When Deane and Beaumarchais once got together not only were supplies forthcoming in large quantities, but loans were also available. The success of the mission to Paris was assured.

The plan of Beaumarchais, carried out with the approval of both Vergennes and Louis XVI, was to establish a commercial firm, under

the Spanish name of Roderique Hortalez et Cie. The business of this firm was to act as a secret channel, through which the French government could furnish ample assistance to the Americans. While the firm lasted Beaumarchais paid out over $4,000,000. Then, as a most unfortunate climax to his melodramatic, but very helpful scheme, Congress after the war declined to pay its debt to him. This refusal was due to the machinations of Arthur Lee, another American agent and general trouble maker. Although the heirs of Beaumarchais finally got a settlement in 1831, that was small help to the man himself, who had died in 1799.

All this informal assistance was valuable, but Congress wanted something more, preferably a formal treaty. To that end it created a special commission, including Deane, Benjamin Franklin, and Arthur Lee. Of this group, Franklin was far and away the ablest, and the only one fitted by temperament and training to get results. Deane was a man of mediocre talents, while Lee "went on through life quarrelling with one person after another," making himself disliked wherever he went. Subsequently Deane's place was taken by John Adams.

Franklin soon became the most admired man in France. His rare combination of homely wisdom, affected simplicity, uncanny astuteness, and sly wit made an extraordinary impression on all sorts and degrees of people. He seemed to be always at ease, no matter whether he was engaged in a serious conversation with Vergennes, in putting the suspicious Arthur Lee in his proper place, or—to the great scandal of Abigail Adams—in accepting the kisses and caresses of court beauties at a most elaborate dinner. His equanimity, which had remained unruffled under the invective of Wedderburn in England, was equal to any test.

But for a time not even Franklin's popularity and cleverness could induce the French government to commit itself to a treaty. The king was anxious to avoid giving offense to England, so anxious in fact that he would not allow Vergennes to receive the visitors officially; the meeting was a private one. Then, in the fall of 1776, when France got news of Washington's defeat on Long Island and of his retreat through New Jersey, the foreign office became noticeably cool. Diplomacy can accomplish little in the face of military reverses. Even Beaumarchais became alarmed for his own safety. "My government," he told Franklin, "will cut my throat as if I was a sheep."

THE FRANCO-AMERICAN TREATIES

But in December 1777, Paris heard of Burgoyne's surrender at Saratoga. In the course of a few days the king's minister called upon the American envoys and announced that Vergennes was ready to begin negotiations. As a matter of fact, the Americans secured two treaties, a treaty of commerce and a treaty of alliance. The first aimed at the regulation of Franco-American commerce, on the basis of "the most perfect equality and reciprocity." The second, which up to the present is the only alliance ever signed between the United States and any foreign power, aimed first of all to guarantee the independence of the United States. It provided for mutual help, under specified conditions, in case of defensive war, and outlined the arrangements to be made in case of territories captured in the war then going on. Then, with reference to peace, the following paragraph is of special interest.

"Neither of the two parties shall conclude either truce or peace with Great Britain without the formal consent of the other first obtained; and they mutually engage not to lay down their arms until the independence of the United States shall have been formally or tacitly assured by the treaty or treaties that shall terminate the war."

The alliance meant war with England, even though it was, as Louis XVI put it, one more manifestation of his friendly disposition toward George III! When France entered the war, the ultimate success of the United States was practically assured. French supplies, French troops, and above all French naval assistance proved to be invaluable. In addition to this direct help, the indirect results of the alliance proved to be almost as valuable. England could no longer concentrate her forces in North America, because she could never tell when a new European combination might strike her at home. All things considered, the agreement with France was the decisive factor in the Revolution, or rather in the achievement of American independence.

For those who like to probe into the motives underlying important historical events, the American policy of Louis XVI affords an interesting opportunity. The inconsistency of the whole thing is plain enough. Why should one of the most despotic governments in Europe come to the rescue of an experiment in a republic? Again, France and Spain were on traditionally good terms, bound by the so-called

Family Compact at least to show reasonable consideration toward each other. The collapse of the British Empire was certain to be observed with interest in Spanish America, and with the success of one revolutionary movement to serve as an example no one could tell when a second might start. More important still, the age-long unwisdom of the French financial policy was just reaching its culmination in impending bankruptcy, and the American War could be depended on to wreck the whole financial system, and that too beyond all hope of repair. This danger was so apparent that Turgot, minister of finance, advised strongly against the alliance.

Turgot, however, was not only overruled, but dismissed from office, and Vergennes, the foreign minister, finally decided upon the policy. His real aim was to weaken England, so that he might restore to France the prestige lost in the Seven Years' War. In order to do this he would help the rebellious colonies, not enough to make them a menace to Spain, but sufficiently to humble England. In Vergennes's mind there was no thought of aiding the United States because of any fondness for them, or any sympathy with their ideals. He would fight, not as the friend of America, but as the enemy of England, and nobody appreciated the subtleties involved in that distinction more clearly than Vergennes himself. A clear realization of this fact however does not minimize in any way the value of the French alliance. The help received was indispensable, and in spite of the motives back of it, it led to the desired result.

SPANISH POLICIES

The entrance of France into the contest was followed eventually by that of Spain. At first, the Spanish government was so bitter against its ally that the Spanish foreign office tried to make an agreement with England. These two powers held the greater part of North America between them, and such an alliance was entirely within the range of feasibility. According to the suggestions made at the time, England would be guaranteed in her hold on Canada, Nova Scotia, and the territory west of the Alleghanies and north of the Ohio, while Spain would receive all the Southwest territory, and the two provinces of Florida. In case the United States became independent, she would be completely excluded from the West, and also, Great Britain would keep Rhode Island, in order to weaken the new republic. This plan fell through, but it is important because it

reveals clearly the attitude of Spain toward the project of an independent United States.

Rebuffed by England, Spain swallowed her bitterness and turned once more to her old ally. To the French foreign office she repeated her proposals regarding the future of the United States, to the effect that the American republic should be hemmed in east of the Alleghenies, and that Rhode Island be given to England, to serve as a source of perpetual discord, as she amiably put it, between that country and the United States. Vergennes would not agree to sacrifice Rhode Island, but he had made no promises about the West. He was therefore free to offer these territories to Spain, as the price of her declaration of war against England.

Because neither the French nor the Spanish government had any grounds for confidence in the good faith of the other, considerable time was needed to reach an agreement. As finally signed, the treaty between the two powers provided that Spain should enter the war, and that neither party should make peace without the consent of the other. The consent of Spain need not be given to any peace program until she had recovered Gibraltar. With reference to the United States, France agreed that the new nation should renounce all claims to all land west of the Alleghenies, and also, in case France should conquer Newfoundland, that she would share the fisheries with Spain alone.

The Franco-American alliance bound the United States not to make peace without the consent of France, and France was now bound to Spain to continue the war until England had been deprived of Gibraltar. In this way the United States might be forced to remain in the contest in behalf of Spain, an unfriendly nation, to settle a purely European tangle. It is not strange that France did not divulge the terms of this Spanish treaty to the United States. With this arrangement all made providing for the sacrifice of American interests, Vergennes sent over a minister, Gerard, with instructions to induce Congress to acquiesce. Under the influence of the suave Frenchman, the American government was prevailed upon to abandon some of its legitimate claims.

After Spain entered the war, Congress sent John Jay to Madrid, in hope of securing another European alliance. Jay found it impossible to get any kind of arrangement with the wily Spaniards, but he picked up rumors enough to make him highly suspicious of the good-

will of France. After spending nearly three fruitless years at the edge of the Spanish court, he went on to Paris; by that time he had well-defined theories concerning the true motives back of Franco-Spanish diplomacy, and of its bearing on the United States.

With the entrance of Spain into the war, the contest began to take on the appearance of the customary eighteenth century struggle for the balance of power, and this time England found herself without a single ally. She herself forced Holland into the war, on the French side, in order to cut off Dutch trade with the United States. Although the other nations did not come in, some of them joined in a commercial agreement, which proved to be almost as damaging to England as open belligerency would have been. This was the arrangement known as the "armed neutrality."

Because of England's tendency to interpret her privileges on the seas in such fashion as to give her a hold on neutral trade, the leading neutrals began to emphasize the doctrine that free ships make free goods, that is, that non-contraband, belligerent-owned cargoes on a neutral vessel were not subject to seizure. Both Catharine of Russia and Frederick the Great of Prussia became interested in this principle. Frederick was well disposed toward France, and bitter against England because of her treatment of him during the Seven Years' War. Therefore he persuaded Catharine to head the combination of neutrals. Denmark, Sweden, Russia, Prussia, and the Holy Roman Empire all agreed to protect their commerce against British seizures.

THE WAR IN THE WEST

As the European outlook grew darker and darker for England, the prospects of the United States were correspondingly improved. Even though they could not win a clean-cut victory, they might profit from the desires of Europe to prey upon the common enemy. No one could tell just how soon Britain would be compelled to make peace.

Events in the West also at this time held out at least the hope, albeit a distant one, of a satisfactory outcome. The movement of settlers into regions beyond the Alleghenies may not have been encouraged by the war, but it was certainly not hindered. As early as 1768, Daniel Boone in Kentucky and James Robertson in Tennessee were laying the foundations of new states, although these settlements did not grow to maturity until after the war. In 1780 Robertson moved on still farther west, and settled Nashborough, or Nash-

ville as it came to be called. In 1775, pioneers laid the foundations of a new colony, south of the Ohio, to be known as Transylvania. Others planned to found still another new colony, or state, east and northeast of Transylvania, to be known as Westsylvania. Although these projects did not materialize in the form of states, they were important experiments in the task of opening up the West.

In these cases, as in all others, the threat of white settlements aroused the Indians, and the British were only too glad to encourage them in attacks upon the frontier. To put an end to this danger, George Rogers Clark determined to carry the war into the West, and end the danger. In the summer of 1777 he laid his plans before Patrick Henry, then governor of Virginia. He aimed at the capture of the British posts in the Northwest: Kaskaskia, Cahokia, and Vincennes. Under a commission granted by the Virginia authorities, Clark raised a small force of volunteers, all frontiersmen, with a sprinkling of outlaws who could have struck terror into any community. In the spring of 1778 he led his men down the Ohio, to the mouth of the Cumberland. Then he started boldly overland, for a distance of one hundred twenty miles, with Kaskaskia as his goal. Totally unaware of the presence of any hostile forces in that part of the world, the commander had left the fort wide open. Clark's men rushed in, and before the garrison could come to its senses, the Americans were in full possession. The French residents were well disposed to the Americans, and aided them in getting control of Vincennes.

This was in mid-summer, and Clark settled down at Kaskaskia for the winter. But the British commander at Detroit recaptured Vincennes that fall, and planned to retake Kaskaskia in the spring. Clark preferred to strike first, and in February, 1779, he started overland for Vincennes, two hundred thirty miles away. Much of the way his men tramped through bogs, often deep in water, and they camped, without tents, often without fire, in country that would have killed any ordinary human beings. On his arrival before Vincennes, he so maneuvered his men that the British commander was fooled into thinking them a large army, and he asked for terms and surrendered.

Clark's victories left the West, with the exception of Detroit, in American hands at the close of the war, and he is entitled to all the credit that goes to a victor in a brilliant, daring adventure. And yet

his hold on the territory was never mentioned by the peace commissioners, and it is doubtful if his work influenced their deliberations. But whether it did or not, the United States received the territory as a result of the war.

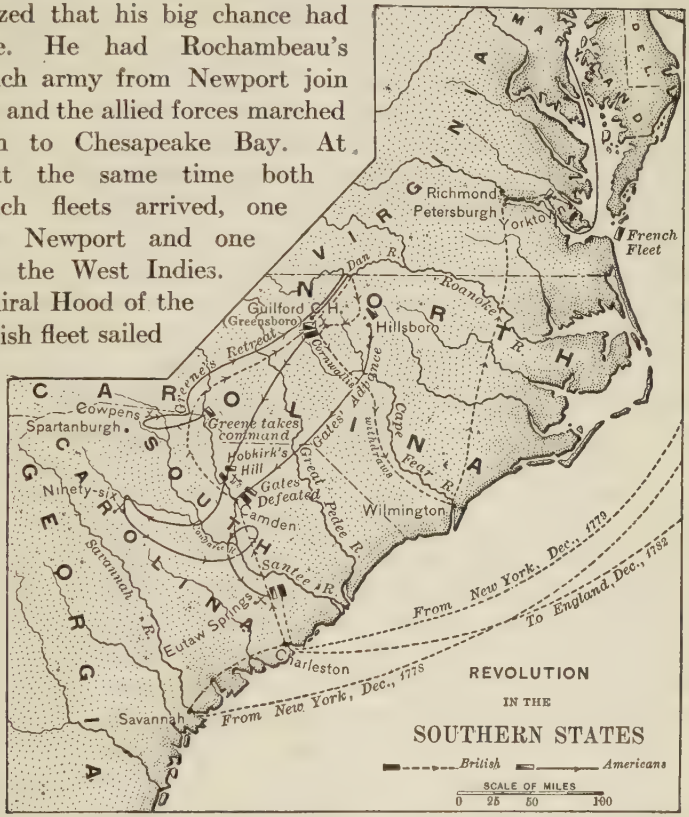
Clark's enterprises in the West were looked upon with no little disfavor in Spain, because Spain wanted the region for herself. Her forces seized Natchez on the lower Mississippi, and also St. Joseph, a British fort in Michigan, but they also kept the British so busy in Florida that Clark was safe from any attack. Thus without meaning to assist the Americans, the Spanish were compelled to do so against their will, by the inevitable demands of their own interests.

THE WAR IN THE SOUTH

After Burgoyne's surrender, and the fighting around Philadelphia, the main efforts of the British were transferred to the South. There, in 1780 and 1781, they tried to cut off the southern states, one at a time, and so gradually regain control of the whole country. The engagements there can hardly be considered as products of carefully thought-out plans. They were rather in the nature of heavy guerilla warfare. Under Morgan, Greene, "Light Horse Harry" Lee and other commanders, the Americans succeeded in gradually wearing down the British forces. In the spring of 1781 the hitherto more or less planless fighting began to approach a climax. At Guilford Court House, North Carolina, General Cornwallis came out with a technical victory over Greene, but the British numbers were so reduced that Cornwallis took refuge on the coast, at Wilmington.

From Wilmington Cornwallis started on his expedition that brought the war to an end. He determined to conquer Virginia, on the theory that it was the key to the whole South. A small army was already operating there, and he joined it with his own troops. His aim was to capture Lafayette, whose small body of troops, hardly large enough to be called an army, had been facing General Benedict Arnold, now actively at work on the British side. At first Lafayette was compelled to retreat; then reinforcements came to his rescue, and he gradually forced Cornwallis back to the coast. By the end of July Cornwallis had fortified himself at Yorktown, where he was safe from any body of American troops then within reach, but from which there was no means of escape, except by the sea, if the American troops were reinforced.

Washington learned of this situation in July. A few days later he received a letter from Count de Grasse, in command of the French fleet in the West Indies, announcing that he was leaving for Chesapeake Bay, and suggesting joint operations in Virginia. Washington realized that his big chance had come. He had Rochambeau's French army from Newport join him, and the allied forces marched down to Chesapeake Bay. At about the same time both French fleets arrived, one from Newport and one from the West Indies. Admiral Hood of the English fleet sailed



past Chesapeake Bay, and on his arrival in New York reported the presence of the large French squadron. By that time the French and the Americans had everything well in hand. Cornwallis, bottled up in Yorktown by the French in the bay, was confronted by a combined French and American army of some sixteen thousand men, the largest organized, effective force that the Americans had ready at any time during the war. The British situation was hopeless, and on October 19, 1781, Cornwallis surrendered, with his army of seven thousand men.

This victory in the South wrecked all the British plans for that section as completely as Burgoyne's surrender had in the North four years before. More than that, the British disaster in Virginia coincided in time with discouraging news from all parts of the world. In India the English hold was seriously threatened. Spain had driven the English out of Florida, captured Minorca, and threatened even Gibraltar itself. De Grasse had raised so much havoc in the West Indies that England had nothing left there but Jamaica, Barbados, and Antigua. Added to all this was the chronic trouble in Ireland, made worse of course by the encouragement which the Irish got from the rapidly accumulating British disasters. If peace did not come quickly, the British Empire would soon be nothing but a memory.

During the whole course of the war the Whig opposition had been a source of continuous embarrassment to the ministry, and by 1781 Lord North was ready to give up. The surrender at Yorktown settled his fate, and in March, 1782, he resigned. The incoming Whig ministry was determined to make peace.

THE PEACE NEGOTIATIONS

At the same time Congress was carrying on a desultory discussion of terms, but under the inspiration of two French ministers, Gerard and Luzerne, they had pruned down their program to only two positive demands: independence, and preservation of the French treaties. All other matters, in principle and detail, were left to the judgment, discretion, and good fortune of the negotiators. Those other matters, cleverly eliminated by the French diplomats, were claims to the Northwest and Southwest territories, rights of navigation of the Mississippi River, right of deposit at the mouth of the river (see Chapter XX), navigation of the Gulf of Mexico, and fishing rights off Newfoundland.

To conduct the negotiations, Congress appointed a commission of five: Benjamin Franklin, John Jay, John Adams, Henry Laurens, and Thomas Jefferson. The last two were unable to get to Paris for the work, so the three who were already there took full charge. In 1782, informal negotiations were started between Richard Oswald, a retired Scotch merchant, and Benjamin Franklin. But Oswald had been commissioned to treat only with commissioners of the "colonies or plantations," rather than of the United States. Franklin was willing to proceed, looking upon the phraseology of the commission as

simply a technicality. But Jay insisted upon a formal recognition of American independence as an essential preliminary to any real work.

Dissatisfied as he was with the form of Oswald's commission, Jay was even more dissatisfied with the attitude of Vergennes. Now the Americans had been instructed to communicate with him upon all subjects pertaining to peace, to undertake nothing in the negotiations without his knowledge or approval, and finally to be guided in everything by French advice and opinion. All this of course was another product of the work of the French minister in America. Jay's residence in Spain and in Paris had filled him with suspicion of the good faith of France. These feelings he subsequently communicated to John Adams, upon his return from Holland. Adams and Vergennes had failed to get on well; in fact, Vergennes, in the symbolic but pointed language of diplomacy, had at one time gone so far as to question the truth of Adams's statements, whereupon the two men ceased all dealing with each other. Adams was ready enough to agree with Jay. The substance of Jay's suspicions was that France was aiming to deprive the United States of the fisheries, the West, and all rights to the Mississippi. All these, so Jay argued, France would try to secure for Spain.

These suspicions became convictions when Vergennes assured the Americans that Oswald's commission was wholly satisfactory. Then Jay happened to find a copy of a letter to Vergennes from Marbois, the secretary of the French legation in America, the tone of which was extremely unfriendly to the United States. Furthermore, Jay learned of a "secret" mission which Vergennes had just despatched to London. The watchful American promptly jumped to the conclusion that Rayneval, the agent, had been sent to influence Shelburne, the British foreign secretary, against the American claims, and to intercede in behalf of Spain.

Putting all these things together, Jay decided that the time had come to act. Without consulting Franklin, he induced an Englishman named Vaughan to go to England, for the purpose of securing a new commission for Oswald. He argued that it would be distinctly to the advantage of England to offer liberal terms to the United States, in order to break the tie between the new nation and France. Shelburne, in charge of British foreign affairs, saw the logic of the argument and in issuing new instructions the commissioners were authorized to treat with representatives of the United States.

Successful in inducing the British government to alter the instructions, Jay next insisted that the negotiations with England go on without the knowledge of Vergennes. Franklin demurred, because that would be a plain violation of their instructions; Adams, however, agreed, and the two younger men forced Franklin around.

While the Americans and the English were gradually working toward an agreement, Vergennes was not even taking the trouble to find out what they were doing. In fact, he was so contemptuous of their ability that he expected to make the treaties himself. Concerning the commissioners from the United States, he wrote: "It behooves us to leave them to their illusions, to do everything we can to make them fancy that we share them, if our coöperation is required. The Americans have all the presumption of ignorance, but there is reason to expect that experience will ere long enlighten them."

Within a month after writing this letter, Vergennes himself was subjected to a little enlightenment. To his utter amazement, he learned that a provisional treaty had been agreed upon by the American and British commissioners. To be sure it was not to become effective until it was approved by the French government, but under the circumstances that consent was bound to be a mere formality. The Americans had completely outwitted the crafty Vergennes, and he knew it. To Franklin he complained bitterly about bad faith and the violation of Congressional instructions, only to be blandly assured that no harm had been done. Whereupon Vergennes asked his minister in America, Luzerne, to lay before Congress an account of the surprising behavior of the agents in Paris. Adams and Jay, he told Luzerne, "do not pretend to recognize the rules of courtesy in regard to us. . . . If we may judge of the future from what has passed here under our eyes, we shall be poorly paid for all we have done for the United States."

Congress referred the whole question to a committee, which suggested a mild reprimand, but nothing was ever done. And Vergennes finally became reconciled to the inevitable, and offered the United States another loan. He had not been so much shocked at the departure of the Americans from their instructions as he was amazed at their cleverness in outwitting the whole French foreign office. Skilled in all the arts of diplomatic chicanery, he knew well that he could insist upon no higher standard for the Americans than he followed himself. The European diplomats of the eighteenth

century knew nothing of honesty or fair dealing in their official capacity, unless in rare instances they told the truth merely to deceive more completely. Once he had recovered from his surprise, his wrath very likely gave way to admiration.

THE PEACE OF PARIS

By the final treaty of September 3, 1783, Great Britain recognized the independence of the United States, and gave to the Americans both the Northwest and Southwest territories. The northeastern boundary line between Maine, or Massachusetts as it was then, and New Brunswick, was not drawn with sufficient clearness, but a satisfactory settlement was made later. The western boundary was the Mississippi, while the southern was along the thirty-first parallel, the northern boundary of Florida. There was a subsequent difficulty here, however, because of a secret article in the preliminary draft. England and the United States had agreed that if England retained Florida, the boundary should run along the line thirty-two degrees, thirty minutes, whereas if Spain should get it, the boundary was to be pushed south to the thirty-first parallel. Florida went to Spain, and the government soon learned that Spanish Florida was smaller by some fifty thousand square miles than English Florida would have been. Not unnaturally, Spain claimed the larger territory, and that question remained a constant source of ill-feeling until 1795.

Thanks to the determination of John Adams, the United States received the rights to the fisheries off Newfoundland. Then the treaty stated that the United States would place no obstacles in the way of the collection of British debts, which were due at the outbreak of the Revolution, and also that Congress would advise the states to be generous in their treatment of the Tories. Finally the navigation of the Mississippi River was to be open to both Englishmen and Americans. This last provision was not binding upon Spain, and with her hold on both sides of the river at its mouth she could easily close it to all outsiders.

The Americans secured an unusually good bargain, so good that Vergennes declared the British had bought a peace, instead of making one. British concessions in the fisheries, and in territory exceeded anything he thought possible, so he wrote, and he might have added, anything which he desired. No one could deny that so far as the separation from England was concerned, the war had been a success.

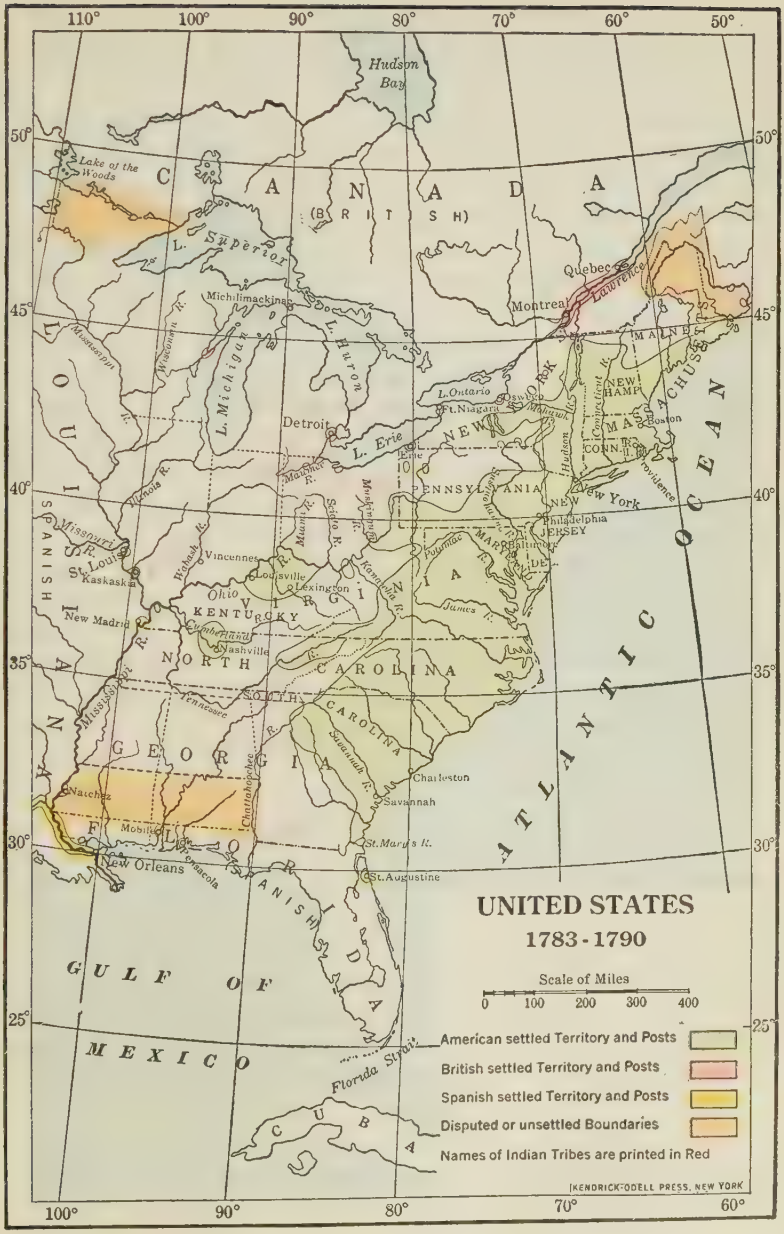
CHAPTER XX

PROBLEMS OF THE FRONTIER, 1783–1787

When the Americans had won their diplomatic triumph at Paris, they had good reason to believe that their troubles with foreign problems and European intrigue were practically over. The war was finished, boundaries were defined with reasonable clearness, and the treaty provided for putting the new nation in command of its own territory. What more could be desired? But before the hopes of the United States could be realized, there were discouraging trials ahead, destined to arouse bitter resentment, and for a time to make impossible the realization of important aims.

THE NORTHWEST POSTS

For one thing, the United States had not by any means severed the bonds between itself and Europe. The whole American frontier bordered on the possessions of Great Britain and Spain, and out of these connections there developed a set of diplomatic tangles which by comparison make the great negotiations of 1782 look delightfully simple. In the region bounded by the Canadian line, through the lakes, the Ohio and Mississippi Rivers, and the Allegheny Mountains, the old Northwest Territory, the United States soon found itself confronted by a situation with which it was not powerful enough to deal. This section, turned over to the Americans by the Peace of Paris, was virtually unsettled. There were, however, scattered over the country fur-traders, and troops, located at carefully selected strategic points with a view to protecting the important routes of transportation. There were eight of these posts, beginning with the two guarding the route from Lake Champlain: Dutchman's Point, and Pointe au Fer. Three others controlled the upper St. Lawrence and Lake Ontario: Oswegatchie, Oswego, and Niagara; Fort Erie guarded the eastern end of Lake Erie, while Detroit was the key to the passage between Lakes Erie and Huron. Michilimackinack covered the entrances to Lakes Huron, Michigan, and Superior. The possessor of these posts could hold the whole Northwest.


UNITED STATES
1783 - 1790
Scale of Miles
0 100 200 300 400
American settled Territory and Posts
British settled Territory and Posts
Spanish settled Territory and Posts
Disputed or unsettled Boundaries
Names of Indian Tribes are printed in Red
KENDRICK-ODELL PRESS, NEW YORK
CANADA (BRITISH)
ATLANTIC OCEAN
GULF OF MEXICO
Hudson Bay
Lake of the Woods
L. Superior
Michilimackinac
L. Michigan
L. Huron
Detroit
L. Erie
L. Ontario
Fort Niagara
Quebec
Montreal
St. Lawrence R.
Mississippi R.
Missouri R.
St. Louis
Kaskaskia
Vincennes
Wabash R.
Illinois R.
Louisville
Lexington
Ohio R.
Kentucky R.
New Madrid
Cumberland R.
Nashville
Tennessee R.
Natchez
Mobile
New Orleans
Pensacola
St. Augustine
St. Mary's R.
Charleston
Savannah
Santee R.
Pedee R.
Roanoke R.
James R.
Potomac R.
Susquehanna R.
Delaware R.
Philadelphia
New York
Boston
Providence
Connecticut R.
Hudson R.
Mohawk R.
Genesee R.
Florida Straits
CUBA
SPANISH MAIN
LOUISIANA
GEORGIA
NORTH CAROLINA
SOUTH CAROLINA
VIRGINIA
PENNSYLVANIA
NEW YORK
NEW JERSEY
MARYLAND
DEL.
CONN.
R. I.
MASSACHUSETTS
NEW HAMP.
MAINE
50°
45°
40°
35°
30°
25°
110°
100°
90°
80°
70°
60°
50°

These were all in British hands at the close of the war, but Article II of the treaty called for their surrender with "all convenient speed." The British government continued to hold these posts until 1796, thereby creating one of the major difficulties of the American government. Although the Americans had won the war, as early as 1784 the British government determined not to give up the territory. The chief reason for this conscious violation of the treaty was the fur-trade, the richest single branch of commerce in North America. The center of this trade was at Montreal, with England as the final market. The furs themselves were secured mostly from the Indians, and more than half the annual supply came from the tribes living south of the newly established boundary. So, if the terms of the treaty were carried out without some arrangement for controlling the trade, all that on the American side would eventually be diverted to Albany and New York, and Canada would be ruined.

Another explanation of the British course is to be found in the Indian problem. Most of the tribes had fought against the Americans during the war, and they looked upon their transfer to their enemy, the United States, as an act of bad faith on the part of England. English Cabinet members, British officials in Canada, and British agents at the posts all sympathized with the Indians, and encouraged them in their hostile attitude toward the new nation. From the centers of British authority liberal supplies of munitions were distributed among the Indians. In 1787, the British government instructed the governor of Canada to hold the posts at all costs, to recapture them if they should be taken, and to use the help of the Indians in case American forces attacked the forts.

While these were the real reasons for this policy, the pretexts given were that the United States had violated two parts of the treaty: one relating to British debts, the other to the Loyalists. But the records show clearly that the authorities had made up their minds to retain the Northwest *before* there had been any question of Congressional inability to enforce the treaty, and that the Cabinet merely seized upon its violation by the states as a good excuse.

THE RIGHT OF DEPOSIT

In the Southwest territory there were other problems, equally as serious as those in the Northwest. Before and during the Revolution settlements had been made in Kentucky and Tennessee, and these

occupied regions projected like a great wedge out into the Indian territory. When the war closed there were half a million settlers on the frontier, with the majority in this section south of the Ohio River. Although these communities were offshoots of the older states, there was little if any sense of loyalty, either to the states or to Congress. The frontier was like a great floating island, temporarily moored alongside the United States, but free to cut loose and form new connections provided there was any advantage in doing so. Geographic and economic conditions explain this lack of close union between the older and newer sections. Because of the difficulties of transportation, it was easier for the farmers even in western Pennsylvania, to send their produce to Philadelphia by way of the Ohio and Mississippi Rivers and New Orleans, than directly across country. The people in Kentucky and Tennessee were even more completely dependent upon the Mississippi. To make a living they must sell goods, and these could go in only one direction. The pioneers needed the right of "deposit" at the mouth, that is, the right to send and store goods there, without payment of duty, until shipping could be secured.

In 1786, Spain closed the river to the pioneers, and denied the right of deposit. Due warning was given that any Americans found on the lower Mississippi would be imprisoned, and their goods confiscated. The purpose in doing this was to impress upon the minds of the frontiersmen how completely dependent they were upon the good will of Spain, and to emphasize the powerlessness of Congress to furnish any assistance. By this means, in time the Southwest might turn to Spain for protection, and the United States would be pushed back to the Alleghenies, where Spain thought it should have been kept in 1783.

From this time on for a decade Spain pursued a tortuous course, or series of courses, all looking toward the ultimate detachment of the Southwest from the United States. Congress was trying to get a commercial treaty with the Spanish government. Its representative, Gardoqui, dealing with Jay, aimed to negotiate, but to avoid a conclusion, hoping to drag out the conferences until the lapse of time should give the Spaniards what they wanted along the Mississippi. Then, at the same time that Gardoqui and Jay were talking, Spanish agents encouraged the Indians to make life so miserable for the settlers that out of sheer desperation they would finally turn to Spain for relief.

In 1786, Jay and Gardoqui agreed upon the draft of a treaty, by which the United States surrendered its demand for rights on the river, in exchange for a commercial treaty. This indifference to the vital need of river transportation so angered the West and its friends that the document was never ratified. While Congress through its representative was thus giving grave offense to the West, Spain was cautiously trying out a crafty scheme to sever completely the Southwest from the United States. The Spanish officials decided to open the river to a few carefully selected frontiersmen, and in this way to win them over, and through them the whole population. The few men chosen were to be allowed to use the river, to enjoy the right of deposit, and so to become rich, while their less fortunate neighbors found the only means of outlet for their produce tightly closed. Among the Americans who were picked for this special favor were apparently George Rogers Clark, and certainly General James Wilkinson. Wilkinson's reputation rests on the fact that he was a shrewd rascal. At the same time that he was drawing pay as an American officer, he was also receiving a regular pension from the Spanish government. He covered up his tracks so carefully that definite evidence of his treason was not discovered until the end of the nineteenth century.

THE FLORIDA BOUNDARY

As though all this controversy over the commercial situation were not enough, Spain insisted upon her claim to the thirty-two degrees, thirty minutes boundary line, on the ground that Florida was Florida, and that she was clearly entitled to what England would have had. There is no denying the logic of the claim, nor is there any doubt of the embarrassment it caused the hard-pressed American Congress.

There was one more frontier tangle during this period. Vermont, a new state, formed out of territory claimed by both New Hampshire and New York, had repeatedly sought admission into the Union, only to be refused because Congress could not afford to offend New York. The economic connections of Vermont resembled in principle those of Kentucky and Tennessee. There was only one natural outlet for her produce, and that was by way of Montreal. Because Congress refused to give them what they asked for, the two Allen brothers carried on regular negotiations with the British, looking toward possible relief from that quarter. Like the Southwest, Vermont was

one of those detached sections, ready to turn to the side which promised the more satisfactory economic advantages. Realizing how delicate the balance was, the Canadian government suggested the desirability of keeping Vermont independent, and of granting favorable commercial concessions.

In all these frontier districts the feeling was largely the same. The United States was new, not able to command any very generous loyalty on the part of the original states, and still less among the pioneers. Their main concern was the very prosaic one of getting a living, and their patriotism would be molded by the government which would make that task as simple as possible. So, unable to occupy its own territory in the Northwest, seriously threatened with the loss of Vermont and the Southwest, and tormented by Spanish claims for an enlarged Florida, the government of the Confederation became literally desperate.

THE ORDINANCE OF 1787

In the midst of this hopeless situation when, either because of lack of power, or because of inability to keep a quorum together, Congress seemed on the very verge of final dissolution, that body was suddenly spurred on to the enactment of a vitally important constructive measure. Even though the government of the Confederation could not occupy the western territory, Congress could legislate for it. To the Northwest, which Britain persisted in holding, a number of states: Massachusetts, Connecticut, New York, Pennsylvania, and Virginia, all had had more or less plausible claims. These were based in part upon liberal interpretations of the original seventeenth century grants, in part on mere desire to possess invaluable assets. During the Revolution down to 1780, Maryland persistently refused to ratify the Articles of Confederation, because of these very claims. She had none and her leaders reasoned that it would be well for her to avoid too intimate intercourse with her more fortunate neighbors. Without western lands, so Maryland argued, her people were dependent upon themselves, and the State upon its own resources, in the matter of revenue. This meant relatively high taxes. On the other hand, states with possessions in the West could easily convert them into cash. With a continuance of the western movement there would be a fairly regular sale for the land, and that would mean a dependable source of income entirely apart from taxation. With lower tax

rates, the lucky states could make themselves attractive places to live in, and in time the population would drift away from Maryland to Virginia or Pennsylvania.

In view of this difficulty, Maryland had urged that the states which had western claims might put themselves on the same level with those which did not by surrendering their titles to the Confederation. Then all the states would have a share in the proceeds of the new territories, because these would be administered by the Congress for the common benefit. So firmly convinced were the Marylanders of the soundness and fairness of this reasoning that they would not ratify the Articles until the states should meet their demands.

In 1780 New York announced her intention of turning over her title to the Confederation. It mattered little that New York had the weakest title of all. Her example was a good one, and gradually the other states followed. As a result, Congress found itself in possession of these claims of the states, and when the Treaty of Paris was ratified, the task of providing for the future of both the Northwest and Southwest territories devolved upon the central government. So the states found that they had at least one stake in the successful outcome of their experiment in confederation, and the very desire not to lose any possible advantages that might accrue constituted a powerful bond of union.

Always a delighted roamer in the fields of imagination, Thomas Jefferson, in 1784, had drafted a plan of government for this western region. In this he embodied a number of principles of American government, many of which were subsequently included in the Ordinance of 1787. He also suggested a list of names for new states to be made, such as Assenisipia, Pelisipia, and Polypotamia, among others. His plan passed Congress, but for some reason it never went into effect. In 1785, Congress again took the matter up, and passed the so-called Land Ordinance, providing for a comprehensive system of surveys. The plan called for the selection of certain base and meridian lines, and for marking off the region into townships six miles square. Every township was subdivided into thirty-six sections, each one mile square. In disposing of the land, Congress required that one section, usually number sixteen, be reserved for the maintenance of public schools in the township. The country was to be marked off into this checkerboard pattern, very simply, but so plainly and clearly that deeds could be accurately drawn. By

so doing the danger of conflicting or overlapping claims could be obviated at the very beginning.

In spite of the excellence of the surveying system, Congress had to do one thing more: establish a workable form of government for the settlers who were already there, and for those who would come in as soon as conditions were favorable. At the time settlement was not going on rapidly, because few if any individuals of the pioneering type could meet the requirements of Congress. Land was for sale, to be sure, but only in lots of six hundred forty acres, or more, and only for cash. Now the pioneer who could raise six hundred forty dollars, plus whatever more was needed for transportation and supplies, was a figment of Congressional imagination.

At this time, as so often before, although the land was ready and waiting, nothing could be done without some organization to finance the new settlers. Many of the earlier settlements had been made by stock companies, like the London Company for example. Reference has also been made to the Ohio Company, and to similar organizations of the period of the Seven Years' War, which were engaged in exploiting the territory south of the Ohio. With opportunities as promising as were these in parts of the old Northwest, sooner or later a land promotion company would be certain to come forward to seize them. In Boston, in 1786, a new Ohio Company was organized, composed largely of Revolutionary veterans. Some of the leading directors were General Rufus Putnam, General Samuel H. Parsons, and the Reverend Manesseh Cutler, a doctor of divinity and a Congregational clergyman. In his case theological training proved to be no barrier to successful land speculation.

For six months or more, in a very desultory fashion, Congress had been discussing the problem of territorial government, without getting anywhere in particular. Then, on July 5, the Reverend Manasseh Cutler appeared, with a concrete proposition to lay before Congress. If his company could be assured of a satisfactory form of government, it would buy one million acres of land. Congress was delighted. One million acres, at one dollar per acre! The astute Yankee clergyman, however, refused to offer more than sixty-six and two-thirds cents an acre, a figure which Congress reluctantly accepted. But Cutler was not prepared to pay cash. He would buy the land with soldiers' certificates, which were so badly depreciated that in such currency his sixty-six and two thirds cents actually was reduced

to something less than ten. Finally he found it necessary to allow a number of prominent citizens, in and out of Congress, to take part in another speculation scheme, in which some five million acres were involved.

Before the deal could be closed, the form of government had to be mapped out, so in less than a week, Congress settled down and passed the famous Ordinance of 1787. According to this the territories would pass through certain definite stages of development. First of all there would be a temporary government, with the officials all appointed by Congress. These were to be a governor, a secretary, and three judges, who might adopt any laws of any of the thirteen states which seemed to fit frontier conditions. So, although there was no provision for self-government at this early stage, the settlers would be guarded from tyrannical legislation.

The second stage would begin when the territory had five thousand free adult males in its population. These men, duly qualified as voters, could elect a local legislature, to take charge of making laws. The territory might also send a delegate to Congress, with the privilege of taking part in the debates, but not in the voting.

When the total population reached the sixty thousand mark, the territory might be admitted as a state. Incidentally, in all these territories the Ordinance provided that there should be neither slavery nor involuntary servitude.

Although the section of the Ordinance which prohibited slavery has attracted no little attention, it was not the more important part of the document itself. Slavery had not become a lively issue in those days, and there were none of the high lights of genuine abolitionism visible in 1787. Jefferson had suggested a prohibitory section in his plan of 1784. In fact, the hint was made at the time that in voting for the nonslavery principle, some southern members of Congress may have done so to deprive the Northwest of the advantages of slavery, and by so doing to prevent it from becoming a competitor of the South. In any case in the greater part of the old Northwest, climatic and agricultural conditions were unfavorable to slavery, so it would probably have taken no firmer hold there than it did in New York or New England. In southern Illinois, in spite of the prohibitory section, slavery existed until the Civil War.

The significant parts of the Ordinance are those dealing with the main question, that of government for the new regions. What Con-

gress really did was to establish an unusually satisfactory colonial system. The new settlements on the frontier were to be given a period of apprenticeship in self-government as it were, during which, as wards of the nation, they could be trained to follow courses similar to those taken by the older states. Then, instead of looking forward permanently to an inferior position, they were encouraged to prepare for actual admission into the Union, on terms of equality with the other states. This was the new principle, and it is probably the key to the success of the experiment. The main features of the Ordinance were subsequently applied to the new acquisitions of territory, and they have proved to be big factors in the growth of the nation. As dependencies of the federal government the newer states, in time the bulk of the nation, tended to look to the central authorities as the authors of their being, and so they avoided the extreme particularism of many of the older states. Also, because they all had approximately the same sort of early training, state institutions came to have remarkable uniformity. Both these factors were instrumental in creating a strong national spirit.

Cutler's contribution to the Ordinance seems to have been, not authorship, but inspiration. He furnished the incentive which drove other men to work. It is hard to tell who was really responsible for the document. Many of its provisions had been under discussion for several years, so they were common property, and the author was little more than an able compiler. Probably Nathan Dane had more to do with form and phraseology than any one else, and the credit may as well go to him. He and Cutler therefore would have the distinction of turning out one of the greatest of all American laws.

Thus, in face of the utterly discouraging situation in the Northwest, unfairly barred from possession by sheer force, the Americans were able to make out a constructive program for the future. The easiest course would have been to wait at least until there was a prospect of the withdrawal of the British garrisons, but fortunately they went on, for practical purposes, as though they could occupy the region at will. That they could do this was a genuine tribute to American courage and idealism, especially so at this time, when the United States had experienced nearly all the disappointments which may come to a nation.

CHAPTER XXI

PROBLEMS OF READJUSTMENT

Although the problems of the frontier were troublesome enough to have tried the abilities of any statesmen, no matter how able, the Americans were not left to suffer with those alone. Everything in fact seemed to be taking distinctly a turn for the worse, making the period of reconstruction more burdensome in some respects than the war itself had been.

All these problems together, including of course those just described, make up what Fiske aptly called the "critical period." Like all wars, the Revolution had been responsible for a good deal of disintegration, political, social, and economic. On the human side, while it called out in some the qualities of self-sacrifice and heroism, it stimulated in others the traits of greed and all-round selfishness. At the same time it led to unusually loose thinking on public issues, and to a noticeable tendency to elevate some of the least fit to positions of high responsibility, largely because they had the knack of making an effective noise.

Before the Revolution had started, American leaders had been fond of indulging in the most optimistic prophecies concerning the coming greatness of their country, and there was ample justification for their unbounded faith. There was not a nation in the world with greater potential advantages. Although the total population numbered only about three and a half million, the land beyond the Alleghenies afforded room for fully twenty times as many. This growth too could take place without meeting any pressure from outside powers. The wide range in climate and varieties in soil guaranteed a diversified agriculture, amply sufficient to meet all possible needs. To the civilization of that day the forest resources seemed inexhaustible, and there was a wealth in other natural resources, undreamed of at the time, destined to make the United States one of the greatest industrial nations of the world.

There is no doubt that the prosperity of the colonies had depended entirely upon a highly successful commerce. Farmers, fishermen,

fur-traders, lumbermen, all relied upon foreign markets for their profits. The complete disorganization of trade during the war had been taken as one of the consequences inseparable from conflict; after it was over, the losses could easily be made good. Moreover, if the Americans had done so well with their commerce as wards of Great Britain, their superior ability would bring genuine triumphs once they were in full control of their own destinies.

COMMERCE

This had been one of the most loudly proclaimed promises of the Revolutionary orators and committeemen. Once free from the Navigation Acts, they could offer trade to all the world, and in their optimism they really expected the world to come to them. Out of the frustration of this hope came either directly or indirectly much of the hardship and most of the discontent of the period. It soon became clear that European nations were no more favorable to American trade after the Revolution than before. The eighteenth century commercial monopolies still existed, and not even France offered concessions enough, at this time, to give any impetus to American shipping. More than that, the United States found itself outside the British monopoly, which had brought so much prosperity in spite of its restrictions. (See Chapter VIII.)

After the Revolution, as before, the bulk of American foreign commerce was with England, and the Navigation Acts worked an obvious hardship. Unwilling to face the strict logic of the situation, the Americans complained bitterly when they found this trade placed under restriction, along with that of all foreign nations. The British regulations permitted unmanufactured goods, with few exceptions, and naval stores to come into England. These might be carried either in British or American ships, in accordance with the custom when the states were colonies. American tobacco destined for Europe could be brought to England and stored there free of any duty. This opportunity seemingly offered to American vessels was in reality almost worthless, because of the impossibility of getting a return cargo. Commodities going from England to America were regularly carried in English ships.

To the West Indies, nothing but tobacco, provisions, and naval stores could be exported from the United States, and these only in British vessels. No West Indian commodities could be taken from

the islands in American vessels. Thus the West Indian trade, one of the most important and lucrative branches of American commerce, was cut off as a result of the war. In the case of Canada, no importation of American goods was permitted, except under special arrangements, as in the case of Vermont, and no American ship could take part in Canadian trade.

The British government had imposed practically these same restrictions on all foreign shipping before the war, so there was nothing new in principle here. The only difference was that the Americans had shared in the benefits; now, by their own choice and action, they had placed themselves outside the system. After the manner of human beings, having eaten their cake, they complained when it disappeared.

Congress had no authority to regulate trade, but the individual states took up the matter of retaliatory legislation. Three of the New England states, Massachusetts, New Hampshire, and Rhode Island, prohibited British vessels to load any American commodities. Other states imposed heavy tonnage duties on British vessels, while still others imposed double tariff duties on British cargoes. But because there was no uniformity in the policy it was never effective; some one state, usually Connecticut, would welcome all British shipping, duty free.

Because of the value to both countries of Anglo-American commerce, this combination of British restrictive and state retaliatory acts created an impossible situation. Ninety per cent of American imports came from Great Britain, and however anxious the British authorities were to reap all the advantages from their own trade, they could not sacrifice such a market. Nor could the Americans afford to stop buying merely to punish England. Something had to be done, otherwise political independence threatened to sweep the country into economic ruin.

This brief description of the commercial situation goes far to explain the economic crisis which helped to make this a critical period. The old lines of commerce seemed to be completely thrown out of joint, and it took time, either to restore them or to build up new ones. Being ambitious and resourceful, the Americans tried to do both. Reports were current of enterprising American merchant vessels operating in the Far East, and in the Scandinavian ports. By 1789 a definite measure of recovery had taken place.

FINANCIAL DIFFICULTIES

Because of the thoroughgoing nature of the business depression, Congress and the state governments, as well as the people at large, all suffered severely. Individuals found it hard to pay their debts, and even more difficult to pay their taxes. Farmers began to borrow to tide them over a hard year, and soon found themselves smothered with mortgages. As usual in such conditions, they began to insist upon cheap paper money to raise prices, and so to make it easier for them to escape from their troubles. With the issues of paper came tender laws, to compel creditors to accept paper money. Also in Rhode Island at least, there could be seen the curious spectacle of creditors fleeing from debtors, in order to avoid loss through the settlement of debts in useless paper.

With the rural population all suffering from hard times, brought on by the disappearance of the provision market in the West Indies, the state governments found it difficult to collect revenue. Farmers especially complained about the high cost of government, and petitioned the legislatures to have their taxes reduced in amount or wiped off entirely until the return of better times. As the town of Palmer, Massachusetts, informed the General Court:

"The great dificualties That the Inhabitants of this Commonwealth (and the Said Town of Palmer in Particular) Labours under by Reason of the grate Scarsety of surculating medeam Rendors it dificualt for the said Inhabitants to Paye There Taxes and cary on there Nessessary bussiness."

Nothing so serious in the way of hard, grinding poverty had ever been so widespread in the Colonies since the early years of their existence, and the taunts of the returned Loyalists to this effect did not put the popular mind in anything like a state of comfort.

These local troubles were intensified by rivalries among the states themselves over boundaries, tariff duties, or conflicting land claims. New York and New Hampshire each appealed repeatedly to Congress for a settlement of the Vermont question in its favor, while Vermont was insistently going its own independent course. Then Connecticut and New Jersey had a common grievance against New York, because New York City was the port of entry for a wide stretch of back country. By levying import duties, the state with the harbor was able to make consumers in the two neighboring states pay an appreci-

able amount into its treasury. Then, to take only one more example, Virginia, Maryland, and Pennsylvania all had differences over their respective rights in the navigation of the Potomac.

Congress could no more settle these troubles than it could solve its own problems. Impossible as it may seem, Congress was worse off financially than the states, because it had to depend upon them for its revenue. With no independent power of taxation, and no means of collecting payments from the states, the central government was always synonymous with bankruptcy. From 1781 to 1786 it was able to collect by means of so-called requisitions about two and a half million dollars, not enough even to meet the payments due on the foreign debt alone, with not a shadow left for either the domestic debt or for running expenses. In 1784, the total debt, foreign and domestic, amounted in round numbers to about thirty-five million dollars, and it was steadily increasing because of unpaid interest. Reduced to desperation, Congress tried the unique experiment of drawing on its agents in Europe, not on the strength of funds which they had in their possession, but on the strength of loans which Congress had ordered them to negotiate!

Appeals to the states were fruitless, and the old slogan of "no taxation without representation" might well have given way to "no taxation at all." On one occasion during this period the modest request for an amendment to the Articles of Confederation, permitting Congress to levy an import duty of five per cent, was defeated by the single adverse vote of Rhode Island. Later, a second amendment was proposed, for the purpose of allowing Congress to collect duties for only five years, and this time New York's vote killed the plan. What was the Revolution fought for, anyway? Certainly not to set up a taxing power over and above the sovereign state legislatures.

Unsatisfactory the Articles of Confederation may have been, but not nearly enough so to have caused all these difficulties. It is hard to imagine any form of government which could have stood the strain of the far-reaching commercial and economic collapse then prevailing. The springs of revenue, both private and public, had temporarily run dry, and funds are as necessary for the organism of the State as water is for the organism of man. Though the crisis was not due to the government, it served to reveal in clear relief the weaknesses of that government, and so it assisted in the work of steering the country toward a better one.

SHAYS'S REBELLION

Perhaps the climax to this uncomfortable drama of hard times is to be found in the so-called Shays's Rebellion, which occurred in Massachusetts in 1786. Although it was confined to a single state, the causes which produced it were common to all. Because of the widespread unrest, no man could tell how soon the disturbance might flame out into a general uprising, with the debtors lined up in a frightful attack upon property and government. Conditions in Massachusetts needed to be watched with care.

Even before the end of the Revolution the farmers of Massachusetts had found occasion to complain of their lot. For a few years they had profited heavily, but after 1780 especially, as prices gradually fell and taxes steadily rose, the country people were really reduced to hardship and want. Because of the fluctuating paper currency, their earlier prosperity had no real permanence in it, and they could lay by nothing to carrying them through a series of lean years. In fact, although the more farsighted ones had paid off their mortgages while profits remained high, not all had been sensible enough to do that. By 1782 or 1783 the agricultural counties of the state were facing real hardship. With the repeal of the paper money laws their fictitious wealth—if they had even that—melted into nothing. Then the pressure of debts and taxes began to make trouble.

The farmers complained generally because the paper money laws had been repealed. More specifically, they were bitterly opposed to the courts, in which actions for debt might be brought, to the lawyers who seemed to be turning the misery of the farmers into wealth for themselves, and to the government officials, who were drawing high salaries for work which was bringing no appreciable benefit to the common man. The yeomanry, the very bulwark of the state, so the restless spirits argued, was being "Squeezed and Oppres'd, to maintain a few Lawyers . . . who grow Rich on the Ruins of their Neighbors." Everywhere could be heard bitter verbal attacks upon all those who were deriving their income from sources other than the land.

It was exactly the sort of situation destined to recur again and again, under the strain of economic reverses. The Jacksonian Democrats felt the force of it in 1837, the western farmers in 1873, 1896, and again in 1921 and 1922. The combination of low prices for farm

produce, high prices for manufactured goods, high taxes, and too frequent actions for debt and foreclosure sales, always produces the same result: a demand for cheap money. All these conditions were present in 1786, and in spite of the recent fiscal troubles of the Revolutionary era, the farmers tried to compel the state legislature to authorize a new issue of paper. In June, 1786, the House of Representatives voted heavily against the proposal, and then the farmers took the proceedings into their own hands.

Falling back upon the expedients of the Revolution, they began to summon county conventions. In these meetings they could air their grievances, and at the same time they could feel the thrill of inspiration that the crowd always draws from united action against a common evil. The first of these conventions met at Worcester, in August, 1786, and it was soon followed by others. By the end of the month, rioting against the courts was reported from Northampton, and again the other counties followed suit. During the next few weeks the situation became so serious that Governor Bowdoin called out the militia. In four counties, Berkshire, Worcester, Middlesex, and Bristol, riotous mobs prevented the courts from sitting.

The culmination of the "rebellion" came late in the fall, when Daniel Shays himself led the attack on the arsenal at Springfield. By that time the authorities were fully alive to the danger, and General Lincoln had orders to disperse the "army." He did so, in a small-scale pitched battle, and the "rebels" scattered.

The conservative elements in Massachusetts, and conservative commentators from other states described the rebellion as an attack upon property and government by reckless radicals, whose aim was to establish mob rule. But Shays and his band were not trying to overthrow government, as such, although they did want changes in administration, and especially in court procedure. The movement was a protest against hard times, and it drifted into violence perhaps because of the survival of the state of mind of the Revolution. The common farmers had been taught that the proper way to end a grievance was to attack the government. Samuel Adams, the old specialist in revolutionary methods, denounced the "Shaysites" with considerably more show of horror than had been used when British authorities had denounced him in earlier years, and he urged the infliction of the severest punishment upon the ringleaders. It was all very well to rise against a government in which you were not represented, he

argued, but to attempt to overthrow one made by the people was the height of political crime. What Adams overlooked was that the unfranchised private in Shays's "army" had had no more voice in framing the constitution of Massachusetts than he himself had had in shaping the British system.

As an instance of mob activity the "rebellion" would have had little significance for the United States as a whole. But coming as it did, in the midst of hard times, intense unrest, general disinclination to respect law and the government, it assumed in the minds of men then living, the sinister aspect of anarchy itself. No one could tell how long it would be before the attack upon authority would spread over the whole country.

Clearly then, in view of the obvious weakness of the Confederation and this threatened overthrow of state government, along with the hopeless failures to solve the problems of commerce and the frontier, something would have to be done to save the United States from chaos. So it happened that those who were most seriously affected by the dangers in the critical period, the merchants and larger property owners, men with money to lose, began seriously to contemplate the revision of the Articles of Confederation, with a view to safeguarding, not only their own interests, but the public interests, which depended upon a continuance of peace and good order.

CHAPTER XXII

THE FEDERAL CONSTITUTION

From almost any point of view, diplomatic, constitutional, or economic, a survey of the period of readjustment just described would suggest that the experiment in American independence was not going smoothly. There was too much evidence of hard times, and too little of ordinary well-being. To be sure the country was still alive, and it had secured liberty, or at least it had become independent of the British government, but in its pursuit of happiness it was running far behind the generally approved minimum time. The root of the trouble was economic, but Anglo-Saxons have a way of seeking remedies for such difficulties, not directly, but by way of politics, or government.

James Madison, the philosopher of the constitutional period, was suggesting some sort of middle ground between absolute state sovereignty and a consolidated republic. If a proper form of federation could be secured, he proposed that the national government be given a veto on all acts of the state legislatures—rather strange doctrine for the man destined only a few years later to write the Virginia Resolutions! Madison was not the only thoughtful American who was advocating a revision of the Articles of Confederation. Any far-sighted man could appreciate the desirability of a change, and there were many who hoped for a stronger central government.

While Madison was pondering over the most feasible plan for a satisfactory division of sovereignty between state and nation, a chain of events had already been started which soon led to action. Virginia and Maryland were trying to work out a policy covering the navigation of the Potomac. In 1785, at Washington's invitation, commissioners from the two states met at Mount Vernon, and drew up some resolutions on the subject. These were submitted to the governments of the two states concerned, and approved by them. Then Maryland suggested another conference on commercial questions, and asked that both Pennsylvania and Delaware be invited. The Virginia legislature approved and its commission, with Mad-

ison as a member, invited the other states to send delegates to a convention, to meet at Annapolis, in the early fall of 1786.

THE FEDERAL CONVENTION

So little general interest was there, however, that at the Annapolis meeting, called to consider the important subject of uniform commercial regulations, only five states were represented. Unable to accomplish anything because of this lack of support, the Annapolis delegates proposed another convention of delegates from all the states, to meet at Philadelphia the second Monday in May, 1787. There it would be possible "to devise such further provisions as shall appear to them necessary to render the constitution of the federal government adequate to the exigencies of the Union," and to report a plan for that purpose to Congress, for submission to the states. Congress mustered up strength enough to issue a formal invitation, calling upon the states to send delegates to a convention, "for the sole and express purpose of revising the articles of confederation."

In the end twelve states took advantage of the opportunity to share in the deliberations, Rhode Island alone, the traditional home of the otherwise minded, refusing to send delegates. The members were chosen by the state legislatures, so they were bound to be good specimens of the governing class of the time. In general they were conservative, alarmed at the widely-prevalent signs of disintegration, and anxious to do something to provide for a better enforcement of the laws. Moreover they had had practical experience in the affairs of government, either as state executives, members of their state legislatures, or perhaps as members of Congress. It is true of course that all of them were men of property, with something to lose in case the disease manifested in Shays's Rebellion became epidemic. As men of property some of them held public securities of one sort or another and as men of intelligence they knew that a more satisfactory form of government would raise the value of all this paper. Even so, it is not necessary to assume, as some historians seem to do, that their primary motive in promoting the Constitution was the desire to line their own pockets. The springs of human behavior are not ordinarily so simple.

Among the individual members two stood out conspicuously as the most famous Americans: George Washington and Benjamin Franklin. Both had had wide experience in dealing with the affairs of the United

States from a national standpoint, and both were aware of the dangers in too much state sovereignty. Franklin, however, took an inconspicuous part in the affairs of the Convention, while Washington was in some respects the dominant leader. Chosen to serve as presiding officer, his unusual poise and self-possession kept the members in order, even though at times his dignity seemed almost oppressive. Washington did not look upon the post of chairman as that of a merely neutral spectator. He spoke often in behalf of the measures which were of interest to him, and to his associates in the strong government group.

Associated with Washington in the active work of the Convention was James Madison, the Virginia authority on political science and government. He brought to Philadelphia a fund of information concerning ancient and modern confederacies, as well as a carefully studied analysis of the peculiar weakness of the American Confederation. Because of his study, he became the recognized authority in the Convention, "the best informed Man of any point in debate."

From Pennsylvania, in addition to Franklin, came the two Morrises. So far as the official records show, Robert Morris was generally a spectator. Gouverneur Morris, on the other hand, was one of the liveliest debaters of the group, and he was responsible for the phraseology of the final draft of the Constitution. New York sent one man of outstanding ability in Alexander Hamilton, and two mediocre states' rights enthusiasts whose distinction rests on the fact that they generally cast the vote of their delegation against his wishes. Among the leaders of the small state, or states' rights group, perhaps William Paterson of New Jersey was the ablest and most prominent.

Scheduled to begin its proceedings on the second Monday in May, it was not until May 25 that the work really started. From then on the sessions continued until September 17. During that time fifty-five delegates attended, although they were not all there at any one time. The average attendance ranged from thirty to thirty-five. The discussions were carried on in secrecy, and the rules provided that nothing pertaining to the debates should be reported outside or published without permission.

Theoretically the Convention had assembled to amend the Articles of Confederation, and some of the members held to that original purpose to the very end. But a number of delegates, including the

leaders of the Virginia delegation, had made up their minds to go far beyond that point. They were prepared to begin over again with the federal experiment, and to create a genuine central government. With this purpose in mind, under Madison's direction, the Virginia delegation drew up a plan, which proved to be the framework of the Constitution itself. This called for the establishment of a two chambered legislature, a national executive, and a system of national courts. More important still, the new legislature was to have power to act, something which the Continental Congress could do rarely, and then only with difficulty.

For the first two weeks of the Convention's work, the members who favored either the Virginia plan or something akin to it controlled the proceedings. Gradually, however, the opposition began to coalesce into something like a unit, with a set of principles appealing to the smaller states. Their delegates were determined not to let the large states consolidate their power so completely that they could dominate the whole government. The policy of the anti-national, small state group was soon embodied in the New Jersey, or Paterson, plan. This proposal called, not for an entirely new system, but merely for a revision of the Confederation. To make the old system work Paterson and his friends would have permitted Congress to levy import duties, to regulate trade, and to compel the states to pay the sums assessed against them by the central authority. In this way the two main theories concerning a proper form of government for the United States were laid before the Convention.

THE COMPROMISES

During the first month it was clear that the Virginians and their supporters included a substantial majority of the delegates, and the prospects for the Virginia plan were bright. But no one could tell just how the Convention would divide when the much-debated issue of representation came up for an actual vote. The larger states demanded that voting power in the federal legislature be apportioned on the basis of population. The small states on the other hand insisted upon the preservation of the principle of equality, then in force in the Congress of the Confederation. On June 29 the test vote came. With reference to the lower house, the Convention voted, six states to four, that representation should be based upon population.

Once this question was settled, Oliver Ellsworth of Connecticut insisted upon a decision regarding the upper house, and urged that the principle of equal representation be preserved there. This suggestion, he said, would allow for a compromise between the two factions. Feeling ran high for a few days, and some of the delegates professed to believe that the end of the deliberations had come. Finally the problem was turned over to a committee, and it recommended the compromise previously suggested by Ellsworth. It took the Convention two weeks to make up its mind regarding the committee's recommendation, but the vote taken, July 19, favored the compromise.

The solution of this problem cleared the way for the rest of the work. Difficulties there still were, to be sure, but the adoption of the "great compromise" showed the proper way out. Although the whole constitution has properly been called a bundle of compromises, there were four that stand out plainly. One question that attracted more or less attention was that of direct taxes. Should Congress have power to levy them, and if so, on what basis: population, or property? As the discussions proceeded, some of the conservative eastern delegates saw a chance to insure their section against a possible danger of the growing influence of the West. Congress might admit new states, and they would be represented on the basis of population. Let direct taxes be assessed on the same principle, said the easterners. Then, even if the West should acquire a preponderating influence in the new Congress, it would have to pay for its power in direct taxes.

At this point the question had to be decided as to whether or not slaves were a part of the population, for purposes of representation and direct taxes. Some of the delegates suggested a ratio which had been used before, that is, the inclusion of three fifths of the slaves in the figures which would determine the number of representatives. This was adopted.

Again there was a difference of opinion between the southern agricultural states and the middle and northern commercial centers. The mercantile interests wanted to confer upon Congress authority to regulate trade, while the plantation interests demurred at this, for fear that the power might be used to block the slave trade. The regulation of commerce was lodged in the hands of Congress with the proviso that there should be no interference with the slave trade for twenty years.

One of the most complicated, and at the same time the most curious of the compromises was that concerning the election of the president. Various theories were offered, all derived more or less directly from precedents controlling state executives. One group urged that the president be elected by Congress. There were sound arguments against this, however. As a congressional product, the executive would tend to conform to that body's wishes, especially if there was any prospect of more than one term. If he were chosen directly by the voters, the large states would always control the office. To compromise this difference, the convention arranged for a semi-indirect election. The voters choose electors, and they in turn select the president. But, if no candidate considered by them should secure a majority, then the House of Representatives, voting by states, would select one from the three highest on the electors' list.

What the delegates really intended was to have the electoral college serve as a sort of nominating body, and they expected to find the elections going to the House with more than ordinary regularity. These hopes were thwarted by the early appearance of political parties, and the scheme of the electoral college has never proved to be ideal. Accepted in the beginning as a comfortable way out of a dispute, and not because it had any intrinsic merits, the scheme is now defended because it is a product of the "fathers."

These compromises reveal much of the spirit prevailing in the Convention. Differences there were, to be sure, and stubbornness was only too evident, so much so that the less conciliatory members withdrew and went home, there to attack the new plan even before it was completed. But the majority of delegates were endowed with common sense, which makes it possible for human beings to live together in organized society. Fortunately for the nation there were men who could sink their personal preferences for the sake of the public welfare, and the Constitution was made possible by their efforts. While the irreconcilables went home, these others stayed on and helped to make the United States a going concern.

THE CONSTITUTION

On September 17, 1787, the Federal Convention finished its work. The members had hit upon a satisfactory form of imperial organization, something which up to that time, the British government had failed to do. They provided the necessary institutions for handling

common problems, and they did this without breaking down those safeguards for the individual which had made the states vitally important. Moreover they had found a means for avoiding the multiplication of sovereignties upon the North American continent. A glance at European history reveals the greatness of that achievement. Sectional differences were bound to develop, but provision was made for smoothing over matters of controversy, so far as that is ever possible. No matter what the government may be, a whole population will occasionally become hysterical and irrational, as this one did in 1860 and 1861. When that happens men proceed to settle their differences after the manner of primitive animals, using in the process those refinements in the art of warfare which their civilization may have provided.

The Federal Convention worked out a system of government which has stood the greatest of all tests, those of time and of results. Perhaps the best tribute to the success of the work is to be found in the succeeding chapters of American history. As the nation has grown in almost every direction, the Constitution has developed to keep pace. If it has not satisfied everybody, neither has any other scheme ever devised by the mind of man. And of course it is not fool-proof. Unintelligent or corrupt officials may wreck the best of systems. On the whole the American government has worked with perhaps even more satisfaction than could reasonably be expected, and under its operation the general level of happiness and well-being has been high.

If the unusual degree of success attained by the Convention may be attributed to any one factor, that would be the eminent sanity and practical-mindedness of the members. They had been trained in constitution making during the Revolution, and their own bitter experience had familiarized them with certain dangers to be avoided. The materials of the Constitution were taken from state constitutions, and from experience derived from the shortcomings of the Confederation. Over and above all this was the training in government received before the Revolution. The new frame of government was clearly the product of English and American experience, plus American need.

It may be worth noting that with the exception of George Washington, the men who achieved prominence in the Convention were not those who had taken a leading part in bringing on the Revolution.

That earlier work called for the services of crusaders, for men who could make their fellows see injustice as they saw it, who could goad the people into impetuous action. By 1787 the time for the crusaders had passed. Fortunately for the country, there were statesmen available who could begin where the revolutionists left off.

The Convention sent the new document on to Congress, then sitting at New York. There opposition developed at once, but after discussion it was decided to submit the Constitution to the states. Although the Articles of Confederation required unanimous consent for any alteration in the form of the central government, the framers of the Constitution provided that the new system might go into effect when ratified by nine states. This was a revolutionary proceeding, certainly, but to a nation steeped in revolution that was a small matter.

Because of the rule of secrecy which the Convention had rigidly enforced, the people had no inkling of what kind of work had been done. When the Constitution was finally published, they found something very different from the Articles of Confederation. Perhaps the most conspicuous feature was the new Congress, a genuine law-making body, with ample authority to raise money, to regulate trade, and to participate in the conduct of foreign affairs. In addition to a list of powers specifically mentioned, Congress received authority to make all the laws necessary for carrying those powers into effect. Certain types of governmental action were turned exclusively over to the federal government, and the states were required thenceforth to refrain from dealing with those matters. These were treaty making, granting letters of marque, coining money or issuing paper currency, passing tender laws, enacting laws impairing contracts, and levying tonnage duties without the consent of Congress.

In addition to a genuine national legislature, the Americans found a national executive, with authority to enforce the laws, and to participate to a certain extent in the processes of legislation. The president was placed in a position to take the initiative in foreign affairs, although he could not carry policies to completion without the consent of the Senate, and occasionally, of the House. More significant still, he was to be commander-in-chief of the army and navy, and, under certain conditions, carefully defined, he might send federal forces into a state.

Then there was a federal Supreme Court, provided for by the Constitution, with the possibility of additional federal courts, to be established at the discretion of Congress.

Altogether the new Constitution clearly provided for a government which could govern, which could act directly upon citizens in the states, a government whose enactments were to be "the supreme law of the land." But the new supreme law was not to be considered final and proof against change. A system for making amendments was included in the document itself, so that if the nation really desired alterations, they could be made. Thenceforth only a minority would be compelled to resort to revolution in order to secure changes.

RATIFICATION

The publication of the document plunged the whole country into a lively discussion of the relative merits of the Confederation versus the Federal Union. Voters were soon divided into two groups, the Federalists and the Antifederalists, and their campaigns for and against ratification stand out among the dramatic episodes of American history. The Federalists included the financial interests in the North, men who feared that society itself was endangered by the prevalent political thinking, and by such outbreaks as Shays's Rebellion, and many of the larger plantation owners in the South, in brief, all those who for one reason or another realized the need of a stronger central government, or who appreciated the dangers in the prevailing system.

The opposition, probably much larger numerically, included the small farmers throughout the country and some of the more important farmers in the South. In Massachusetts the followers of Daniel Shays were Antifederalist almost to a man. So too were the more recent popularizers of Revolutionary doctrines, and those old leaders of pre-Revolutionary days, Patrick Henry, Richard Henry Lee, and for a time, Samuel Adams. They had helped to stir up a war to prevent the establishment of one form of central government over the states; why go and do voluntarily what the Revolution had been organized to prevent? These Antifederalists found certain defects in the Constitution which were serious enough, they argued, to warrant the rejection of the new plan. They found no bill of rights in it; what would happen to the freedom of the individual under a constitution without a bill of rights? Then they felt that the Constitu-

tion conferred too much power upon the federal government, more than Great Britain had enjoyed, and more than could safely be intrusted to any human beings. Great as this power was at the start, they contended, it would become steadily greater as time went on. Likewise the Antifederalists generally agreed that under the Constitution the state governments would gradually become atrophied and eventually disappear. They did not want anything like a consolidated democracy.

In addition to these more or less tangible arguments, which the Federalists were prepared to meet, the Antifederalists raised various kinds of ill-defined fear concerning the proposed system. They were afraid of arbitrary power, of the loss of their liberties, and of the tyrannical domination by men of property. They complained about the ambiguous phraseology of the document itself, professing to find there evidence of studied duplicity which boded ill for the common man.

The Federalists undertook to meet all these objections, and at the same time they pointed out the obvious positive advantages which were certain to follow ratification. In particular they emphasized economic arguments, insisting upon the material gains which the Constitution would inevitably bring. The best exposition of their whole argument is to be found in the series of essays signed "Federalist," written by Hamilton, Jay, and Madison.

During the flood of popular discussion the states called special conventions to decide for or against ratification. Both parties concentrated their efforts on these gatherings, and nothing but the superior ability and political skill of the Federalists enabled them to win. In New Hampshire the convention at the beginning was strongly Antifederalist, and if the vote had been taken at once, that state would have been lost. The Federalists secured an adjournment, and then, by hard work and perhaps a little eighteenth century diplomacy, they finally put the state on the side of ratification by a majority of ten votes.

In Massachusetts the Federalists had to contend against the forces which had just a year before broken loose in Shays's Rebellion, and the opposition in all the rural counties, except Berkshire, was both strong and bitter. At first, Samuel Adams was openly opposed to ratification, and even after he quieted down, he merely refrained from working against it. John Hancock, the all-powerful political

boss of the state, was in doubt, and remained so until the trend toward ratification became plain. After a series of lively discussions the Federalists mustered strength enough for a favorable vote, one hundred eighty-seven to one hundred sixty-eight.

The New York convention had a clear Antifederalist majority of two thirds at first, but the Federalists finally won over enough to secure a vote for ratification, by a majority of three. In Pennsylvania the Federalists resorted to every device known to politicians, including even actual force. They put in so much work that they finally secured a heavy majority.

Although the Virginia delegates had done brilliant work in the Federal Convention, their state as a whole was with the opposition. Patrick Henry and George Mason openly worked to defeat ratification, and they almost succeeded. The final vote in convention stood eighty-nine to seventy-nine, with eight of the majority voting contrary to the known wishes of their constituents, and two more in violation of specific instructions. Probably the personal influence of Washington was responsible for the Federalist success.

Of the smaller states, all but Rhode Island and North Carolina voted heavily in favor of ratification. Those two held out until after the new government was fully organized. Many of the states which voted to ratify were won over by the promise that amendments would be brought about, for the purpose of removing certain concrete objections.

In spite of the serious shortcomings of the Confederation, and of the evident advantages of the Constitution, the voters of the time were hard to convince. Perhaps the experience of the United States with and under the Constitution might suggest the theory that the majority does not always know what is good for it. In 1787 and 1788 there was nothing sacred about the Constitution. Far from it! If the Federalists had been content to rest their case solely on its merits, they would have been swamped in defeat. But they knew that they had something good, they were determined the country should have it, and they proceeded to drive a very unwilling majority into ratification. On the whole, American history has amply justified their work.

CHAPTER XXIII

THE NEW GOVERNMENT AT WORK

For the first president of the United States, George Washington was virtually the unanimous choice, and although he would have preferred to remain in private life, he yielded to the wish of the country. The old Congress very quietly named the first Wednesday in March, 1789, as the date for the inauguration of the national executive. But it was not until April 2 that the newly elected House of Representatives could get a quorum, and the Senate did not organize until April 5. Then there were the formalities of counting the electoral votes, and of sending to Washington an official notice of his election, so he was not installed in office until April 30.

CONSTRUCTIVE LEGISLATION

During the spring and summer of 1789 the departments of the federal government were concerned primarily with organization. Perhaps the most obvious need was revenue, and on April 8, under Madison's leadership, the House of Representatives proceeded to consider a tariff measure. The enactment of the bill was delayed until July, and it did not go into effect until August, primarily because the merchants wanted to get in their large orders of European goods free of duty.

In the course of this same first session, Congress also passed a Tonnage Act, designed to encourage American shipping. In its final form the measure provided for a levy of six cents per ton on American vessels, thirty cents per ton on vessels built in the United States, but controlled partly by foreign owners, and fifty cents per ton on all other ships. Because of the outbreak of the European war which gave a great impetus to all neutral shipping, shortly after the measure was adopted, it is difficult to estimate accurately just how the Tonnage Act affected American shipping. But even before the war had dislocated commerce, there was a noticeable increase in American carrying trade. In 1790 American vessels carried less than fifty per cent of the commerce between the United States and

Great Britain; by 1800, thanks partly to the war and partly to the law, they were carrying nearly all of it. Thus within a very few years some of the prophecies which had been made concerning the economic advantages of the Constitution were already being fulfilled.

Once the tariff bill had been passed, Congress turned its attention to the establishment of the first three executive departments: Foreign Affairs—subsequently renamed the State Department—Treasury, and War. Then, in the judiciary bill provision was made for an Attorney-general. Although the Constitution pointed somewhat indirectly at the Senate as an advisory body to the President, the heads of departments were the ones actually to fill that rôle. Washington made a point of consulting them freely and regularly, and so, purely from custom, there was evolved the so-called Cabinet.

Washington selected these first appointees with no little care. For Secretary of State he picked Thomas Jefferson, a man trained in public service both at home and abroad. Under ordinary conditions, Jefferson was fully competent to meet any foreign diplomats on their own ground. He understood human nature, and he was almost as shrewd and astute as Franklin himself. At this time too he was on the best of terms with Washington and a loyal, though not over-enthusiastic supporter of the Constitution.

The Treasury Department went to Alexander Hamilton, a young genius in matters pertaining to finance and government. Born in the West Indies, he had come to New York in his early youth. During the Revolution he had served on Washington's staff; the commander-in-chief had found him to be a man of unusual intellectual powers, abounding in energy, full of initiative and self-confidence, and altogether an extremely likeable friend. No one understood the needs of the new government better than he, and probably no one else had quite the rare combination of sound wisdom and unparalleled audacity which he displayed during his career as Cabinet member.

For the War Department, with its army of less than nine hundred men, General Henry Knox was selected, while Edmund Randolph became Attorney-general. These were moderately able men, but by no means equal to the others in capacity or in attainment.

Turning then to the judiciary, Congress authorized the appointment of a Chief Justice and five associates for the Supreme Court, and it created four circuit and thirteen district courts.

Before the first session was over, Madison brought up the question

of proposed amendments to the Constitution. Action of this kind had been made necessary by Federalist promises in various states, made to secure a favorable vote on ratification. With signs of manifest unwillingness to touch what might be a highly controversial issue, Congress finally submitted a list of twelve amendments, ten of which were eventually ratified. These constituted the bill of rights which numerous critics had demanded, and so they were satisfied.

HAMILTON'S FINANCIAL POLICY

Once the problems of organization were partly solved, Congress and the executive devoted their attention to the great financial program, the product of Hamilton's brilliant efforts. As Secretary of the Treasury he was called upon to suggest plans for paying the public debt, and for putting American credit on a solid basis. By 1790 the foreign debt, including unpaid interest, amounted to $11,710,378. while the domestic debt had mounted to $42,414,085. Hamilton proposed to refund all this indebtedness and to pay the par value of the various securities. Congress finally agreed to this, in spite of the opposition of the farming classes. There is no doubt that payment at par enabled countless speculators to clear small fortunes, but there is also no doubt that American credit was immediately put upon a solid and enduring basis. Even if the cost was high, the returns have been substantial. As finally arranged, new bonds were issued in exchange for a variety of certificates outstanding.

With the national debt out of the way, Hamilton's next move startled even the speculators themselves. This was nothing less than a proposal to assume that part of the state debts which had been incurred on account of the Revolution. The amount involved was somewhat over $21,500,000. Hamilton argued that these obligations had been made necessary by the war, a common cause, for which the nation should pay. Also he argued that by tying the creditors up to the federal government the national system would be strengthened. Finally, he pointed to the wisdom of clearing up the wide variety of local securities then in circulation.

The funding measures had gone through in the face of bitter opposition from the agricultural representatives in Congress, and these same forces were determined to defeat the assumption plan. Madison, hitherto the administration leader in the House, now deserted his post and came out openly as the leader of the opposition. Ham-

ilton used all of his influence over Congress—and his favorable attitude toward the speculators had made him many friends—and yet on the merits of the case he would have been beaten. But chance threw in his way a little log-rolling scheme, by means of which the assumption plan became law. Among other measures Congress had been discussing the location of the federal capital, and in the South there was a feeling that it should be located on the Potomac. Hamilton cared little for that issue, but he realized that it might be used as trading material. Sounding Jefferson, he tactfully mentioned the possibility of getting northern votes for the Potomac site, in return for southern votes for assumption. Always canny, Jefferson called Madison into conference, the upshot of which was a little dinner for the three statesmen. There an agreement was reached, the assumption plan became law, and the national capital was placed on the Potomac.

Item by item, Hamilton moved on toward the completion of his program. In February, 1791, under his guidance, Congress passed the bill establishing the first United States Bank. This institution had a capital of ten million dollars, of which one fifth belonged to the federal government. Its notes were practically legal tender, and it served as the financial agent of the government. Branch offices might be established, for the transaction of ordinary banking business.

THE WHISKEY REBELLION

One other Hamiltonian measure was destined to cause serious trouble. In January, 1791, Congress passed an excise law, providing for a tax on distilled liquors. Hamilton had favored this because it increased the number of federal officials, and kept the federal machinery before the public eye. The more conspicuous the new government was, the brighter the prospects for success.

The frontier did not agree with him. Distilling had become nearly as common as drinking, and that was generally very prevalent. But there were extenuating circumstances. The pioneers were always troubled with inadequate transportation facilities, and out of these troubles came the popularity of the private still. Corn was a bulky commodity, practically impossible for many of the frontiersmen to sell directly. Some of them transformed it into pork, and then drove the finished product to market. Others made it into whiskey, which was less bulky and always saleable. When the excise bill was passed,

open opposition developed, up and down the frontier, from Pennsylvania to Georgia. This tax on stills was looked upon as an unnecessary deduction from incomes which were altogether too small.

In western Pennsylvania the disaffection came soon to a head. In 1791 and again in 1792 mass meetings were held, denouncing the law. In 1794, when the federal authorities tried to serve writs on some unlicensed distillers, open rebellion broke out. This became so bad that Washington called out fifteen thousand troops; by the time they reached the western counties of Pennsylvania the rioters were ready to scatter, and order was soon restored.

Hamilton was inclined to welcome the outburst, because it gave the federal government an opportunity to display its authority in effective fashion. In order to make a lasting impression upon other potential rebels, Hamilton was ready to urge drastic punishments. Here Washington overruled his impetuous secretary, and pardoned the two culprits who had actually been convicted of treason.

THE RETURN OF PROSPERITY

When judged by results, the only safe standard for testing matters of statecraft, either diplomatic or financial, Hamilton's policy was eminently successful. At home property owners and business men were inspired with confidence for the future. Abroad, American credit which had gone down almost to the vanishing point was suddenly brought up to the top. Jefferson reported that in Amsterdam the credit of the United States stood first of all the nations needing to borrow money. American bonds, which had risen to ninety-nine, were eagerly sought by European investors.

All this confidence received further support when American commerce showed a marked change for the better. Even before 1789 trade had begun to recover, and by 1790 the evident movement toward prosperity was everywhere apparent. After 1793, when the European war opened up for all commercial neutrals unheard-of possibilities in money making, the United States could feel that the critical period was finally closed.

And yet, in giving Hamilton all the credit which he deserves, it must be remembered that in one respect financial ventures are like revolution: they are good or bad in proportion to the success or failure. Hamilton took tremendous chances, staking everything on the resources and opportunities of the country. Had he lost, he would

have gone down as one of the spectacular failures of history. But good fortune was with him. The wave of prosperity was already flowing strongly when he entered office, and it carried his measures along on the crest. It was not the Constitution which brought prosperity; prosperity made possible the success of the new government.

In handling its frontier and foreign problems the Washington administration was almost as successful as in matters of finance. The frontiersmen in Vermont, Kentucky, and Tennessee, who had been noticeably indifferent to the United States, were given encouragement when the three regions were respectively admitted as states in 1791, 1792, and 1796. Of course mere admission did not clear up the troubles of the frontier, but it was at least evidence of interest and good intentions. The pioneers were appreciably encouraged when in 1790, in spite of the vigorous efforts of Spain to prevent it, the federal government signed a treaty of peace with the Creek Indians.

THE NORTHWEST INDIANS

In the Northwest Washington was making an effort to solve the Indian problem in similar fashion, but the British forces were still supreme in that quarter, and their influence was being used to prevent any agreement. The President then appealed to Congress for money enough to prosecute an effective campaign, but Congress was hard to convince, and the Northwest was left without adequate protection.

For a time, the situation looked bad. In 1790, General Harmar, not infrequently so drunk that he was irresponsible, suffered a humiliating defeat at the hands of the Indians. The next year General St. Clair, with a force of two thousand men, was subjected to a still more decisive defeat. His men became panic stricken, and throwing away their arms, they retreated a full thirty miles. Out of the two thousand, fifty came through uninjured. By that time the Indians were naturally becoming more and more bold. They made almost continuous raids upon the scattered American settlements and, encouraged by their victories and by British agents, they were demanding a large slice of the Northwest territory for themselves.

Realizing how critical the situation had become, Washington appointed General Wayne, the "Mad Anthony" of Revolutionary days, to take charge of the section. After spending a full year in drilling a new army, in 1793 Wayne made an effort, fruitless as it

proved, to settle the trouble without further war. But British agents broke up whatever peace sentiment there might have been, and Wayne was forced to fight.

Alarmed at the very methodical preparations, the British proceeded to concentrate their forces thirty miles south of Detroit, so that, no matter what Wayne did to the Indians, he would find it difficult to attack the northwest posts. Furthermore, Lord Dorchester, the governor of Canada, made a speech to a delegation of Indians, in which he asserted that the Americans had no rights in the territory. It mattered little that Dorchester was officially reprimanded for his ill-advised utterances. The Indians understood the speech, and never heard of the censure, so naturally they persisted in defying Wayne's army.

In June, 1794, the American force began to move. In August, Wayne came upon a large force of Indians, all assembled within two miles of the British position south of Detroit. In the battle of Fallen Timbers he won a brilliant victory over them, and then followed it up by destroying their supplies and property for miles around. Just about a year later, in 1795, Wayne negotiated the Treaty of Greenville with the Indians, removing that particular menace in the Northwest, and opening up to settlement the parts not occupied by the British.

THE FRENCH REVOLUTION

In the meantime, while the federal government was solving some of its Indian problems, the outbreak of the French Revolution and its attendant wars threatened to plunge the nation into the very midst of the life and death struggle of Europe. The danger was real, even though American interests were absolutely at variance with those of both sets of belligerents. If the United States could select its own policy, common sense pointed to neutrality, but there were various factors which threatened to make such a course impossible. The border difficulties, with England in the Northwest, and with Spain in the South, were both serious enough to drag in the United States. Then too, in past wars maritime nations had found neutrality impossible; at this time, with its steadily expanding carrying trade, the United States was certain to be involved in disputes with belligerents. Also, there were the Franco-American treaties of 1778.

American public opinion was divided, although the majority clearly favored France. To the popular mind the situation did not even

present a problem. France had aided the struggling colonies in their Revolution. Did not common decency require payment of the debt? The people were quick to show their enthusiasm for the French cause. The *Marseillaise* was published in the newspapers, people began to address each other as "Citizen" instead of "Mister," and even women were saluted with a French title, curiously Americanized to "Citess."

This popular feeling, however, found very little reflection in the government. Jefferson favored France, but Washington and Hamilton had developed into level-headed statesmen, with nothing of the crusader about them. So cool had they become that, in the picturesque phraseology of the French, their attitude toward liberty, formerly that of lovers, had changed into that of husbands. They could be depended upon not to plunge into any Quixotic enterprise, which might turn out to the detriment of the country.

THE GENÊT AFFAIR

In March 1793, Washington, then at Mt. Vernon, wrote Jefferson that the government of the United States should see to it that the citizens did not embroil the country in war. Neutrality, he concluded was the wisest course. Soon afterwards, word came of the departure of the newly appointed French minister, Citizen Genêt, with instructions calculated to make American neutrality impossible. Washington had already asked his Cabinet for advice and suggestions, and in April, 1793, the members made known their views. All agreed that a proclamation of neutrality should be issued, and that the new French minister should be received. Concerning the treaties of 1778, Hamilton argued that they had become obsolete, because of changes on both sides since they had been made, and that even if they were still in force, they would not compel the United States to become an ally of France. The treaties, he said, called for American help only in a defensive war.

Jefferson, on the other hand, argued that the treaties were agreements between nations, rather than governments, and he concluded that they were still in force. The French government, however, as the Americans soon learned, preferred to have the United States remain neutral, because then she could supply France with provisions.

On April 22, 1793, Washington issued his neutrality proclamation, announcing that the government would keep out of the war, and

warning all American citizens to refrain from any hostile act against either belligerent. So the American republic announced that it would not, as in times past, be a party in a European war. This was the first official announcement of the famous American policy of isolation.

On the very same day that this proclamation was published, the administration learned that on April 8, Citizen Genêt had landed in Charleston, South Carolina. Paying no attention to the accepted courtesies of diplomatic intercourse, which would have required him to present his credentials and to wait for an official reception, the young Frenchman plunged at once into his work. Acting under instructions, he planned with American help to organize two military expeditions in the United States, one against Louisiana, the other against Florida. Then he commissioned privateers, and sent them out to prey upon British commerce.

All this was in clear violation of the neutrality of the United States, as well as in violation of the Treaties of 1778. These did not authorize the French to make a recruiting ground of the United States, and there is serious doubt as to their granting the right to send out privateers. If he were allowed to pursue any such course, the United States could not avoid war with Great Britain.

Finally Genêt organized a Jacobin Club in Charleston, and then started north, to begin direct negotiations with the State Department. His trip soon became a great triumphal journey, and as he moved from place to place, he took pains to stir up hostility against Great Britain. Once in Philadelphia, he was officially received, with a coolness in sharp contrast to the enthusiasm before shown. Naturally the impulsive minister concluded that the government did not represent the people, and that, in view of all the evidence of popular support, he could ignore the imperturbable Washington and his suave Secretary of State.

His manifold activities drove the State Department to desperation. French privateers were bringing in prizes, and finally the French seized a British vessel, the *Little Sarah*, in American waters. The State Department promptly demanded her release, but Genêt, denying the right of the government to act, christened her "*La Petite Democrate*" and sent her out as a privateer. When Jefferson read him a sharp lesson on the elementary decencies of foreign intercourse, he denounced the federal government for its "cowardly aban-

donment" of its friends, and questioned the authority of Washington himself.

On August 23, 1793, Jefferson requested the new French government to recall its exuberant representative, which they were very glad to do. Genêt, however, knew that his head would come off if he ventured home, so he settled down in New York, married a daughter of George Clinton, and lived quietly, in strange contrast to his feverish diplomatic career, until 1835.

NEUTRAL TRADE

Fortunately for the United States, the embarrassing activity of Genêt was not the only by-product of the European war. The struggle opened up possibilities of commercial intercourse which enabled the Americans to reëstablish something like the prosperity of colonial times. It so happened that two thirds of French trade ran between France and her islands in the West Indies; in addition the French had been importing quantities of fish from the Newfoundland region. These food supplies were vitally necessary. When the war came the English navy proceeded to destroy the French merchant marine, and then the French government removed all its old barriers, and threw open its commerce to neutrals.

To the Americans this meant virtually a revival of the old lines of commerce. France and the French islands would pay high prices for all the meat and grain they could get, and by so doing they helped recover for the farmers their former West Indian market for foodstuffs. From 1793 to 1801 American trade expanded steadily, and signs of prosperity were everywhere in evidence. During the period, American tonnage more than doubled, and American exports increased nearly five times over what they had been in 1791.[1]

[1] Exports from the United States, 1791–1801

Year Ending Sept. 30, 1791	$19,012,041
" " " " 1792	20,573,098
" " " " 1793	26,109,572
" " " " 1794	33,026,233
" " " " 1795	47,989,472
" " " " 1796	67,064,097
" " " " 1797	56,850,206
" " " " 1798	61,527,097
" " " " 1799	78,665,522
" " " " 1800	70,971,780
" " " " 1801	94,115,925

Under the circumstances Great Britain could hardly have been expected to let this trade continue without at least an effort to stop it. The Cabinet saw the work of the English navy regularly frustrated by this neutral commerce, and British merchants watched with alarm the steady growth of a rival merchant marine. In order to put a stop to all this American help to France, the English worked out a theory of maritime law distinctly favorable to themselves as the greatest naval power. They held that enemy-owned goods might be seized and confiscated even if carried in neutral vessels, and they were inclined to a very broad definition of contraband. Also Great Britain insisted upon the observance of what she called the Rule of 1756, namely that trade closed in time of peace could not legally be opened in time of war. In addition, officers of the royal navy stretched to an extreme their rights of visit and search, and made themselves obnoxious by the practice of impressing seamen, taking both Englishmen and bona fide Americans. The significance of all this became plain when in June 1793, the Privy Council issued an order authorizing the seizure of all vessels laden with grain or flour.

By way of retaliation, the United States proclaimed a temporary embargo. In Congress more radical expedients were suggested, one going so far as to provide for the suspension of all commercial intercourse with Great Britain until she had indemnified American merchants for her arbitrary seizures, and until she agreed to surrender the Northwest posts.

Washington knew that the passage of that arbitrary measure would mean war, and at the time circumstances made it imperative upon him to avoid war. In 1793 the federal government was still nothing more than an experiment, depending for its success upon a regular income. Practically all the national revenue then came from tariff duties, and of the imports which furnished these, nearly ninety per cent came from England. Furthermore, exasperating as the British maritime policy had been, it had not been bad enough to prevent a steady and substantial increase in American commerce. War would have sacrificed both federal revenue and neutral trade; with those gone, the federal government would have been doomed.

THE JAY TREATY

Knowing therefore that war would be equivalent to national suicide, Washington and Hamilton shaped their policies to conform to

the dictates of common sense. Neutrality and isolation must continue. But the achievement of this primary aim might be rendered more certain if some of the existing causes of friction could be removed. For this purpose Washington determined to send a special commissioner to England.

The man selected for this delicate piece of diplomacy was John Jay, the hero of the negotiations of 1782, at this time chief justice of the Supreme Court. Arriving in England in June 1794, Jay proceeded at once to his work. He was instructed to secure an adjustment of the controversy in the Northwest, in other words, the evacuation of the posts. At the same time he had orders to negotiate a commercial treaty, in which neutral rights might be clearly defined, and to get damages for the illegal seizure of American vessels.

Fortunately for the success of the mission, the British government was not unwilling to come to an agreement. Wayne's victory over the Indians at Fallen Timbers had made the British grip on the American part of the Northwest precarious. Also, rumors were circulating in Europe to the effect that a new armed neutrality league might be formed, and it would be to England's advantage to keep the United States from joining it. Again, during the war, with European trade upset, England's exports to the United States could not be sacrificed, and her officials were ready to make concessions for the purpose of preserving her American commerce.

For some reason, Jay was not nearly as wide awake as he had been twelve years before. On his previous mission, he had been quick to scent every possible advantage which the Americans had. In 1794 it seems that he did not grasp fully and clearly the strong English desire for a settlement. Even the primary significance of Wayne's victory was partly lost upon him. He got his treaty, to be sure, but his own contemporaries, and historians of later years generally, agree that he might have secured considerably more.

Signed on November 19, 1794, the famous Jay Treaty provided that certain disputed points, including the New England boundary line, and indemnities for shipping seized, were to be settled by joint commissions. The Northwest posts were to be evacuated by June 1, 1796. As for the old pre-Revolutionary British debts, they were to be assumed by the federal government. With reference to commerce, the Americans were allowed free trade from Vermont with Quebec and Montreal, and the East Indian trade was opened to Americans

without restrictions. For the all-important West Indian trade, Article twelve of the treaty opened it to American vessels, of not over seventy tons burden, on the express condition that the United States should agree to export no molasses, sugar, coffee, cocoa, or cotton, no matter where grown, to any foreign country. Concerning neutral rights on the high seas, the treaty said nothing at all.

The Senate refused to accept Article twelve, but ratified the rest of it, and the British government accepted the amendment, so leaving the English West Indian trade where it had been: entirely closed to Americans. Although the document was not satisfactory, it was better than nothing, and Washington approved it on that ground. It was bitterly criticized in the Senate, and the House for a time refused to appropriate certain sums of money called for by the treaty. In the country at large the treaty and the administration responsible for it were violently attacked, and Jay himself, burned in effigy in the seaport towns, became the target for unmeasured abuse.

As a matter of fact, the treaty was good enough and important enough to exert a profound influence upon Spain. That decrepit government, long the scourge of the United States, felt grave concern at the news of the Anglo-American agreement. What if it should be the preface to a formal alliance? Visions of the loss of Florida, Louisiana, and Mexico began to trouble the Spanish foreign office, and the officials decided to curry favor with the American republic. On October 27, 1795, Thomas Pinckney signed the Treaty of San Lorenzo. This opened the Mississippi to American navigation, and granted the right of deposit. Furthermore, in it Spain agreed to accept the thirty-first parallel as the boundary between Georgia and Florida. The treaty removed another set of difficult issues from the list.

Altogether, the Washington administration had made a remarkable record. Indian problems in both the Northwest and Southwest were settled, and serious controversies with Great Britain and Spain were brought to a close. With these prolific sources of danger out of the way, the question of frontier loyalty was solved, for all time. The United States had proved strong enough to give the pioneers what they most needed, commercial privileges, and with those secured, there was nothing to be gained by flirting with Spain or England. Over and above all else, the new government had been organized, and made to function so successfully that it could demonstrate its advantages. The experimental stage was over.

CHAPTER XXIV

JOHN ADAMS

The makers of the federal Constitution had prided themselves on being practical men, able to deal with realities. In most respects they had done so, but in one matter,—the political party—they kept a long way from earth. The failure of the Convention to recognize the importance of parties is surprising, because the colonies had had their organizations, with all the attendant machinery. But no matter how calmly their existence might be ignored in the supreme law of the land, they could not be kept out of the federal government. By the end of Washington's first term they were clearly in evidence, and by the end of his second they were actively at work.

POLITICAL PARTIES

The fundamental differences between the Federalists and the Jeffersonian Democrats go back to the alignment for and against the ratification of the Constitution. That contest had been one largely of town versus country, merchant versus farmer, with the leading Virginians on the side of the town. The same divergence of interests which separated the two groups in 1787 and 1788 kept them separated after 1789. The agricultural interests almost to a man opposed Hamilton's financial policies, and on that issue Madison and Jefferson joined their natural associates, the farmers. In order to make out a strong case against Hamilton and his measures, his opponents emphasized the principle of strict construction of the Constitution, which denied to the federal government all powers except those specifically named in the document itself. Then, when the French Revolution came, the Federalists, with their business interests, tended to support England; the Jeffersonians, France.

The Federalists, representatives of the governing class, had been well organized even before the new government was established. The successful campaign for ratification proves that. The agricultural element had the numerical strength, but it was lacking in cohesiveness. Jefferson set himself to correct this lack. During the eight

years of the Washington Administration, Jefferson and his friends were busy in promoting the organization of political clubs, to serve as local headquarters in coming elections. Some of these were started as Jacobin clubs, to promote sympathy with the cause of the French Revolution. Others had a purely local interest, but they were all woven together into a Jeffersonian machine.

At the same time, the Jeffersonians were instrumental in starting newspapers, designed to spread opposition to the Federalists, and to promote the doctrines of Jeffersonian democracy. One of these, the *National Gazette*, was edited by Philip Freneau, whose French parentage did not stand in the way of a most effective use of English. In issue after issue he attacked the Federalists with a virulence and want of good taste which could be matched only by his fellow editors—and by their Federalist opponents. Freneau was ably seconded by the Philadelphia *Aurora*, a sheet long famous for its utter disregard of truth, and for the venomous pen of its editor. On the other side the *United States Gazette* and the *Columbian Centinel* tried, very successfully, to meet the Jeffersonians on their own ground. The result of the contest was a flood of political indecencies which could not be printed in any newspaper to-day.

Jefferson's followers were known variously as Republicans in the South and as Democrats in the North. Then both terms were used, in hyphenated fashion. Finally, however, the name Democrat was adopted for the party label.

As early as 1792 party lines were distinctly evident in the Congressional elections, but it was not until 1796 that they really appeared in a presidential contest. In that year the Federalists nominated John Adams and Thomas Pinckney, while the Democrats selected Thomas Jefferson and Aaron Burr.

Adams was a man of unusual ability, broad training, and high character. Like Washington, but unlike so many of those who had taken part in the early stages of the Revolution, he had grown into a genuine statesman. Nothing could be said against him as a public official. But he had various personal qualities which made him a poor politician. He was stiff, opinionated, and self-righteous, the sort of man who loses friends more easily than he makes them.

Hamilton, the directing head of the Federalist machine both during and after his term as Secretary of the Treasury, was anxious to defeat

Adams for the presidency. He hoped that all the Federalist electors would vote for Pinckney, while some might refuse to vote for Adams. If that happened, the places on the ticket would have been reversed, and Adams would again have landed in the vice-presidency. But so many New England voters determined that Pinckney should not run ahead of Adams that the Federalists lost the second place on the ticket. Under the peculiar, original provision of the Constitution, the second man on the list, regardless of party, became vice-president. Thus while Adams, the Federalist, became president, Jefferson, the Democrat, became vice-president.

THE "X.Y.Z." AFFAIR

Adams had been in entire sympathy with Washington's policy of neutrality, and he hoped to continue it during his own term. But while the old diplomatic dangers, English and Spanish, had been removed, a new one developed in the case of France. The Directory, which happened to be in power at this time, had displayed feelings of surprise and disgust at the news of the Jay Treaty. Well it might, because any understanding between England and the United States was an injury to France. Under the Jay Treaty the English navy was left free to seize American provision ships bound for France, on condition of paying for the cargoes, and the French officials naturally objected to seeing their main source of supply destroyed. By way of retaliation the Directory declared the American alliance at an end, announced that all goods destined for England would be regarded as contraband of war, and finally, in November 1796, recalled Adet, its minister to the United States.

Monroe, the American minister, had already been recalled by his own government. When his successor, C. C. Pinckney, went to present his credentials, he was not only not received but placed under surveillance as a suspicious character, and then ordered out of the country.

The break in diplomatic relations and the French determination to seize American vessels created a serious situation, and in May 1797, Adams called Congress in special session. In his first address to that body he referred to the new difficulties, and announced that he would make an effort to settle them by negotiation. After mature deliberation, he decided to send over a special commission, consisting of Pinckney, to whom the French government owed apologies for its

amazing discourtesy to him the year before, John Marshall, and Elbridge Gerry, a Jeffersonian Democrat.

These three Americans thereupon attempted to open negotiations with the Directory. All the members of that notorious government were corrupt, but some of them were as shrewd as they were crooked. Their secretary for foreign affairs was Talleyrand, formerly the Bishop of Autun, perhaps at the time the keenest and most unscrupulous statesman in Europe. When the Americans arrived, Talleyrand refused to receive them officially; he did however allow informal negotiations to proceed. Unwilling to deal directly with the commission, he worked through certain agents, who have come down to fame as Messieurs X, Y, and Z.

These gentlemen outlined the conditions on which friendly relations between the two governments might be restored. First of all President Adams's address to Congress must be explained, and satisfactory apologies given. Then the Directors wanted a loan, and the promise to buy at par certain Dutch bonds then selling at about fifty cents on the dollar. Finally, the three gentlemen insisted upon a *douceur* of $240,000 for M. Tallyrand and his fellow plunderers.

As these surprising demands were gradually outlined, the Americans parried for time, hoping to get them in writing. This gave rise to a long discussion, and one of the alphabetical triumvirate became impatient. "Gentlemen," he protested, "you do not speak to the point. It is money; we expect you to offer money." When the commissioners attempted to get a hearing with Talleyrand himself, he replied with additional insults to the United States, and an offer to treat with Gerry alone. The two Federalists thereupon showed their good sense by leaving the country; but Gerry showed himself impervious to affront by staying on, to see what he could do with the wily ex-bishop. Needless to say, he accomplished nothing.

In March 1798, Adams submitted a summary of the negotiations to Congress, and the Federalists promptly demanded war with France. The Democrats, however, questioned the truth of the President's summary. This was the very thing that Adams wanted, because it called public attention to the whole proceeding. He then submitted his evidence, the story of the attempted bribery became public property, and there arose a tremendous outcry against France.

Congress immediately prepared for war. The army was increased, Washington, Hamilton, and Knox were appointed generals, and a

navy department was organized. There was no official declaration of war, but each side began to seize merchant vessels belonging to the other.

This state of warfare continued during 1798 and 1799. But Adams did not want war, and he determined as a last resort to try the effect of a new commission. Murray, Ellsworth, and Davie were appointed, and went at once to France. By that time Napoleon was in power, and Talleyrand had a new scheme in his brain, the success of which depended upon peace with the United States. With this different state of mind the second commission found it possible to get results, and on September 30, 1800, a convention was signed. This agreement officially abrogated the Treaties of 1778, and proclaimed the principle that free ships make free goods. It did not, however, provide for any indemnities for American shipping illegally seized. But in spite of its defects, the convention removed the danger of war, and gave the United States a chance to gain further strength before it finally entered the European struggle.

THE ALIEN AND SEDITION ACTS

While the Adams administration was kept in constant difficulty by the French situation, it was adding to its embarrassments by the Federalist domestic policy. Ever since Jefferson had led Philip Freneau into journalistic fame, the Federalists had writhed and cursed under the none too delicate thrusts of his pen. It was bad enough at any time, they thought, for this impudent Frenchman to insult the best characters in the country. But in 1798, when everyone expected war with France, his villainous sheet could no longer be borne. His was not the only Jeffersonian newspaper edited by aliens or new-fledged citizens, and the prospect of war furnished a good excuse to put them all out of business.

To this end the Federalists pushed through Congress a series of measures known as the Alien and Sedition Acts. The first of the series was a new naturalization law, changing the residence requirement from a minimum of five years to fourteen years. Then the Alien Law gave the president authority to banish aliens at his discretion. The Sedition Law made any libel of the president, or any attempt to stir up disaffection against the government, a crime under federal law, punishable by heavy penalties. This, of course, was the weapon to be used against the Democratic newspapers.

The Alien Law was never invoked in a single instance, although numerous individuals took the precaution to leave the country, for fear of its possible application to themselves. The Sedition Law was put to work at once. In fact prosecutions for seditious libel had been started even before the Act was passed, and it was the failure of one of these, for want of a federal statute, that gave rise to the new measure. Prominent Federalist officials combed the Democratic newspapers for evidence, and before long twenty-four arrests were made. Among the defendants were the editors of the four leading Democratic papers: the *Independent Chronicle* of Boston, the *Argus* of New York, the *Philadelphia Aurora*, and the *Richmond Examiner*. The other cases were those of less prominent editors, and of private individuals of varying degrees of importance.

Only ten convictions were secured, but these were enough to stir up widespread opposition to the party in power. Some of the convictions were perhaps justified. Others were so silly that they furnished conclusive evidence of the Federalist motive; a mere desire for revenge. For example Matthew Lyon was sentenced to four months' imprisonment, and to a fine of one thousand dollars for publishing the following statement about President Adams: "every consideration of the public welfare was swallowed up in a continual grasp for power, in an unbounded thirst for ridiculous pomp, foolish adulation, and selfish avarice." Perhaps the worst case was that of an insignificant David Brown of Dedham, Massachusetts. Brown it appears had been responsible for erecting a liberty pole with the following inscription upon it: "No Stamp Act, No Sedition, no Alien Bills, No Land Tax; downfall to the Tyrants of America, peace and retirement to the President, long live the Vice-President, and the Minority; may moral virtue be the basis of civil government." For this ebullition Brown was sentenced to eighteen months' imprisonment, and to a fine of four hundred dollars. Because he could not pay his fine, he stayed in prison two years, until Jefferson pardoned him.

THE VIRGINIA AND KENTUCKY RESOLUTIONS

The Democrats could do little but protest against these flagrant departures from the American tradition of liberty, but some of their protests acquired lasting fame. Falling back upon the states, the natural guardians of freedom, Jefferson and Madison planned for an imposing outburst against the obnoxious measures. The Virginia

legislature adopted a series of resolutions, drawn up by Madison, in which the respective limits of state and federal authority were defined. In case Congress violated the Constitution, Madison argued, it became the duty of the state governments to interpose; they could decide on both the fact and the extent of the infraction, and they could also determine the mode of redress. He said that the states, rather than the Supreme Court, were the proper judges of the constitutionality of Acts of Congress.

In some resolutions of the Kentucky legislature, Jefferson went even further. He declared that a law contrary to the Constitution was void and of no force, and that it could be nullified by state action. Just how this was to be done, he did not explain, but he seems to have had in mind the united action of a majority of states.

Although the authorship of these two sets of resolutions was not known at the time, they attracted widespread attention, as the platform of the party out of power. In the northern states, where the Federalists were in power, the legislatures expressed disapproval of this doctrine of states' rights. In the Democratic states, the Resolutions were generally approved.

This controversy was important, because for the first time after the establishment of the federal system, it gave rise to a discussion of the respective powers of state and national governments. The issue was neither closed nor settled in 1798, and on various occasions between then and 1861, it came up again and again, always with serious embarrassment to the party in power. So the doctrine of states' rights, which had been widely prevalent in 1788, continued to flourish, long after the establishment of the Constitution.

THE ELECTION OF 1800

It might perhaps be expected that with all this trouble with the Democrats on their hands, the Federalists might have strengthened themselves by avoiding factional differences within their own ranks. This, however, could not be done. The friction between the Hamilton and Adams groups became steadily worse, until it threatened to disrupt the party itself. Adams had tried to do something toward smoothing over the ill-feeling by keeping in his Cabinet two prominent Hamiltonians: Timothy Pickering in the State Department, and Oliver Wolcott in the Treasury. Neither was a big man, and both took orders from Hamilton while they were intriguing against

Adams. Under the circumstances, the President could hardly be blamed for dismissing them, and he did so.

Coming prominently to the surface as it did, shortly before a new election, this dispute within the party threatened to put an end to the Federalist hold on the presidential office. On the other hand, the Democrats had had no spoils to quarrel over, so they could look forward to the approaching campaign with a reasonable degree of confidence. The only weakness which might disturb them was more likely to come to the surface after a successful election, rather than during a campaign. From the beginning the Democrats had been a party of protest, including a large number of strong individualists. Jefferson had succeeded in keeping up at least a show of cohesion, and his methods were of the sort calculated to get out the vote.

The Federalists renominated Adams, with C. C. Pinckney for the vice-presidency, while the Democrats picked Jefferson and Aaron Burr. This new figure in national politics was a grandson of the great Jonathan Edwards, and the son of a Presbyterian president of Princeton. After serving with honor in the Revolution, he devoted himself to law, politics, and feminine society, with a record none too savory in any one of these fields. Personally he was a man of unusual charm of manner, and he was blessed with a store of cheerfulness that never deserted him. But he lacked robust convictions about anything, and he was as utterly devoid of any moral sense as of the finer feelings that distinguish a gentleman from a rascal. After his famous duel, he could refer to "Hamilton, whom I shot," as casually as though he had offered him a cigar.

But whatever his moral shortcomings, there is no denying Burr's cleverness at political intrigue. He was one of the early leaders of Tammany Hall, and he helped to fasten upon that institution a small portion of its vast ill-repute which it carried almost to the present day. And it was Burr who defeated John Adams in his campaign for a second term.

When the electoral votes were counted, they showed Jefferson and Burr with seventy-three votes apiece, with Adams running next with sixty-five. The Democrats won the presidency, but because no candidate had a majority the Federalist House of Representatives was confronted with the uncomfortable task of choosing between Jefferson and Burr. Because of their hatred of Jefferson, numbers of Federalist Congressmen were perfectly ready to put Burr in the

president's chair, but after thirty-five fruitless ballots enough Congressmen came sufficiently to their senses to elect Jefferson. Even then, his victory came because a number of Federalists refrained from voting, and his majority over Burr was only six, the final vote standing fifty-five to forty-nine.

This election of Jefferson in 1800 is sometimes referred to as a "revolution," but there was no such general overturn as that expression would imply. Adams lost the presidency because of the situation in New York. In 1796 he received all the electoral votes of that state. Had he received only half of them in 1800, he would have won the election. As it was, he got none, and the New York votes elected the Democrats. How were they secured?

In 1800 the presidential electors in New York, and in all the other states but five, were chosen by the state legislatures. In that particular year, the New York Assembly was so evenly divided that the balance of power lay in the hands of the thirteen members from New York City. Burr had so manipulated New York politics that the thirteen were all of his own party. Made Democratic by this narrow margin, the Assembly chose twelve Democratic electors, and they all voted for Jefferson.

The Democrats also secured control of Congress, as they had done sometimes before, but with Jefferson in the executive office they now had a chance to show what they could do in constructive reforms.

CHAPTER XXV

THE JEFFERSONIAN REFORMS

If any weight could be given to the notions of those New England Federalists who had tried their best to elect Burr instead of Jefferson, the new President was the incarnation of everything they despised. He was a Virginian and a Democrat, as well as an atheist, and an unscrupulous politician into the bargain. If not an anarchist—although they would not have used the term—he certainly had talked and written loosely concerning the sacredness of law and property. "That government is best," he proclaimed, "which governs least." Worse yet, after Shays's Rebellion had shocked the New England conservatives into an absolute horror of extra-legal proceedings, Jefferson, perhaps somewhat thoughtlessly, had expressed distinct approval of it. "God forbid! we should ever be 20 years without such a rebellion. . . What country can preserve its liberties if their rulers are not warned from time to time that their people preserve the spirit of resistance? What signify a few lives lost in a century or two? The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants." And this man was the president-elect! Why not choose Daniel Shays himself, and be honest?

JEFFERSON THE MAN

But this Federalist caricature was considerably more awe-inspiring than the man himself. There was nothing formidable in his personal appearance, except perhaps his six and a quarter feet of stature. And even his height was balanced by his loose-jointed build and his slouching manner. It would have required no little imagination to see any trace of cruelty or indifference to the well-being of mankind in his sunny, red, freckled face. The ordinary observer saw in him, not a monster, but simply a large, rawboned farmer, careless in manner, careless in dress, but withal very human and genial.

Perhaps geniality was the trait that most impressed itself on casual acquaintances. He could talk with enthusiasm and a fair degree of intelligence on nearly every subject known to man. His dinners were

celebrated for their conversation—and their wine, "the best I ever drank," one admirer wrote. The little circle of followers who had seen him day in and day out at his boarding house in Philadelphia had never found him dangerous. They thoroughly liked him.

It is far simpler to describe the new President's appearance and demeanor than to analyze his character. If there is any truth in the statement sometimes made that the average American is noted for the wide gulf between his theories and his practices, Jefferson was typical of his nation. He has been accused of inconsistencies without number, but inconsistency is hardly the word. His difficulty was that he lived in two worlds, one of theory, the other of fact. As a theorist he was a doctrinaire, a spinner of fancies not always related to the problems of life. As a practical politician he had no superior, and probably no equal in uncanny genius for organizing a crowd of stubborn followers, and in ability for making them work with him.

Evidence of this divergence between Jefferson the philosopher and Jefferson the statesman appears all through his life. He could help to incite the Virginians to revolution, and he could write the Declaration of Independence, but with all of his youth and physical vigor he would not enlist in the revolutionary army. It was that display of politician's caution which exasperated John Marshall. Again the divergence appears in his strictures upon the Quebec Act, and his own Act for the government of Louisiana; in his holy horror of an army and navy, and in his arbitrary enforcement of his own embargo; in general, in his silly talk about the benefits of frequent revolutions, and in his autocratic administration of the federal government.

THE JEFFERSONIAN PROGRAM

Because men went "insane in pairs" over Jefferson, as they did over Roosevelt and Wilson later on, his inaugural was eagerly awaited. For those who were expecting a discharge of fire and brimstone against the Federalists, and a violent diatribe against government, the actual speech was a curious surprise. Its keynote was moderation and goodwill, with little in it to criticize, and nothing to provoke controversy, unless perhaps it was the assertion that "we are all Federalists, all Democrats." No one could deny that his plans for coöperation and harmony were in eminently good taste.

As for policies, the new President promised two things above all, economy and reform. Simplify the government, eliminate needless

institutions and save money, became the program. To assist him in his work of purifying the nation, Jefferson picked his advisers and aides with much care. His long-time friend, confidant, and protégé, James Madison, became Secretary of State. The treasury went to Albert Gallatin, a naturalized Swiss, perhaps the equal of Hamilton in his understanding of public finance, but far more cautious in temperament and less spectacular in method than his great predecessor. These three constituted the renowned Democratic triumvirate.

But they were only small parts of Jefferson's organization. The new executive had had ample experience with legislatures, in his home state, and as presiding officer of the Senate. He could draw up a very satisfactory manual of procedure, revealing a clear understanding of all the intricacies of parliamentary law. But his observation had convinced him that any legislature, left to itself and to its rules, would talk endlessly and accomplish nothing. Jefferson was also fully aware that the very character of his party following necessitated a vigorous exercise of authority on his part. Many Democrats were intense individualists, impatient of any power above themselves. They had moreover been trained in the art of opposing the preceding executives, and it required both tact and skill to reduce them to the proper degree of submission.

In the days before 1801, Jefferson had severely criticized the Federalist presidents for driving Congress, and he had talked learnedly about observing the proper dividing line between executive and legislature. Once in office he was obliged to discard his cherished theories, and resort to the only system which would bring results. To make Congress function properly, he picked the floor leaders himself. For a time this honor was divided between John Randolph of Roanoke, and another Virginian, William Branch Giles, a turgid thinker and a profuse, tiresome speaker. But he could secure votes, and that was all the President required. When the President drafted bills, his floor leaders saw that they went through. When these legislative lieutenants failed him, as John Randolph did eventually, Jefferson made moving appeals to some of his friends to run for Congress, that they might have the honor of acting as his agents in the House.

Through the medium of the caucus Jefferson was able to meet his party associates informally outside of Congress. At these gatherings,

rehearsals so to speak for the regular performance in the House, the program was worked out and sufficient pressure exerted upon recalcitrant members to insure the proper majority.

In this matter of organization, Jefferson found it desirable to fill as many of the civil service positions as possible with loyal Democrats. When he became President, he found all the appointive offices in the hands of Federalists, men who hated and distrusted him, and who would be only too glad to embarrass his administration by any means in their power. There was of course in addition the laudable desire to reward good party workers. He did not make a clear sweep at the beginning, but he began by turning out of office the most recent Federalist beneficiaries, the political "lame ducks" or "midnight appointees" of the last days of the Adams régime. The next group to go were those who had been appointed after the November elections of 1800. But the removal of these did not create vacancies fast enough. Concerning these office-holders, Jefferson ruefully complained that "few die and none resign," so he hastened the process of their retirement. By the end of his second term, a Federalist postmaster or customs collector was so rare as to be a curiosity.

In carrying out his promises of economy, Jefferson had the able assistance of Gallatin. They soon had Congress repeal the obnoxious stamp and excise taxes with which the Federalists had exasperated all good Democrats. But cutting down revenue meant cutting down expenditures, something which Jefferson was only too glad to attempt. To this end the standing army, always anathema to him, was reduced to a skeleton, and a shadowy one at that. As for the navy, a more recent monument to Federalist extravagance and folly, he planned to lay up all the frigates in the eastern branch of the Potomac where, as he naïvely put it, they would be "under the immediate eye of the department and would require but one set of plunderers to look after them."

Of course coast defense was necessary, and to provide for it Jefferson urged the construction of a fleet of small gunboats, long narrow craft, built for speed, carrying a very small crew and an armament of a single gun. Congress obligingly appropriated fifty thousand dollars to build fifteen of these vessels. By 1804 numbers One and Two were finished. Number One was sent south, to Savannah harbor. While it was there, a terrific coastal hurricane blew down church spires, carried off the roofs of houses, and raised a tidal wave of

unheard-of destructiveness. When the storm was over, Gunboat Number One was discovered in a cornfield, eight miles inland.

Naturally, Jefferson's "Mosquito Fleet" became the stock joke of the Federalists. At a dinner to Rufus King, given in Boston, one toast ran: "Gunboat Number One: If our gunboats are of no use upon the water, may they at least be the best upon earth." And another: "Our farmers on the Sea-Coast: May their cornfields be defended against Gunboat Number Three." According to report, these craft were far more dangerous to their own crews than they could ever be to any potential enemy. When they encountered rough weather, the men stowed the one gun safely away, in order to have that much less to contend with. By the time the War of 1812 was half over, Madison would gladly have given the whole lot of them—some two hundred by that time—for one good frigate. Had Jefferson's reputation nothing more than his naval policy to rest upon, there would be little to say concerning him.

Another part of the Jeffersonian program was the attack upon the federal judiciary, the main object of Democratic criticism almost from the beginning. First of all Congress repealed the Federalist Judiciary Act of 1801, which had increased the number of circuit and district courts, and incidentally the number of good jobs for Federalists. They considered the feasibility of destroying the whole series of these courts, except the Supreme Court, which had been established by the Constitution itself. But when this drastic step seemed impracticable, they contented themselves with impeachment proceedings against certain Federalist judges. The most important case was against Justice Chase of the Supreme Court, a bitter partisan, who had made himself notorious in the prosecutions under the Sedition Act. John Randolph himself took charge of the proceedings, but the attack resulted in absolute failure. This unsatisfactory outcome demonstrated the futility of further efforts, so Jefferson had to let the courts alone. This was a difficult conclusion for him to accept, because the Supreme Court remained Federalist, and his bitter personal opponent, John Marshall, as chief justice, was continually handing down decisions that made the Democrats curse at their inability to reach him.

WAR WITH TRIPOLI

In spite of his pacifist instincts, Jefferson was unable entirely to avoid war, and the contest forced upon him was, by a strange irony, a naval war! Those disreputable dependencies of the Turkish empire, the Barbary states of Tunis, Tripoli, Algiers, and Morocco, had for generations secured their revenue by levying tribute on Mediterranean commerce. The leading maritime powers regularly bought exemption from their plundering, sometimes to the extent of three hundred thousand dollars a year. Before the Revolution the Americans had been covered by the payments made by Great Britain, but after 1783 they had been compelled to put up with the arbitrary dealings of these international nuisances. There had been constant trouble before 1801. The states were always demanding presents, seizing American ships, and holding the crews for ransom. In 1795 for example, the United States had been compelled to pay nearly eight hundred thousand dollars to the Algerines.

In Jefferson's administration the Bashaw of Tripoli, dissatisfied with his paltry eighty-three thousand dollars a year from the United States, declared war. Jefferson had to send a fleet to the Mediterranean, and the contest lasted until 1805. Even after that there was trouble for the next ten years, although the pirates were beginning to show a wholesome respect for force.

THE LOUISIANA PURCHASE

The greatest of all the accomplishments of the Jeffersonian administration, the purchase of Louisiana, had been entirely unforeseen during the campaign of 1800, and had formed no part of the regular program. When it came, the work was completed so quickly that the Federalists had no time to work up any opposition. This territory, including approximately one third of the present United States, stretching from the Gulf of Mexico to Canada and from the Mississippi to the Rocky Mountains, had been turned over to Spain in 1763. After Talleyrand took charge of the French foreign office, he began to scheme for the return of it to its former possessor. In this policy, he eventually received the active support of the new dictator of France, Napoleon Bonaparte.

When Spain signed the Treaty of San Lorenzo with the United States, Talleyrand made no attempt to conceal his disgust. The

Spanish government was foolish, he wrote, to surrender the disputed strip of Florida. By keeping that, Spain might have had a chance to put an end to the ambitions of the Americans, by "shutting them up within the limits which nature seemed to have traced for them." Spain could no longer do this. Why should she not therefore, sur-



render Louisiana to France? Once that had been done, "from that moment the power of America is bounded by the limit which it may suit the interests and the tranquillity of France and Spain to assign her."

This crafty, club-footed diplomat could see numerous advantages in the ownership of Louisiana. With its unbounded agricultural resources it could be made to furnish France with all the food she needed, and so release her from dependence upon neutrals of uncertain friendliness. Guarded from the British navy by the French stronghold in Haiti, the new French province might serve as a base of operations against the English both in the West Indies and in Canada. The prospect was indeed bright enough to fascinate any lover of large-scale intrigue.

On October 1, 1800, the French representative at Madrid signed the secret Treaty of San Ildefonso, which provided for the retrocession of Louisiana to France, with the boundaries which it had in the hands of Spain. In return for this princely country, Talleyrand

and Napoleon promised to give the Italian province of Tuscany to the Duke of Parma, a satellite of the Spanish king, a promise by the way which they never carried out.

With the possession of Louisiana assured, Napoleon had turned his attention to Haiti, the keystone of his proposed colonial arch. Unfortunately for him, the black population on the island, under the leadership of Toussaint l'Ouverture, had rebelled and set up a republic. For a time Napoleon's forces had been able to hold the blacks in check; early in 1803, as the ruler of Europe was about to take formal possession of Louisiana, he received news that wrecked all his plans. Two French armies in Haiti had been wiped out, partly by war, partly by tropical disease, and the commander there was frantically calling for thirty-five thousand more men. Napoleon could face any human army on earth, on less than even terms, and defeat it, but the uncertain horrors of yellow fever and typhoid were more than he could manage. Moreover, he had made up his mind that the European war, temporarily stopped in 1801, must be renewed; if it were, colonies might become a liability. Unable therefore to run the risk of further loss in Haiti, and determined not to give England a chance to seize Louisiana, he suddenly made up his mind to sell the whole province to the United States.

In the meantime, Jefferson had been gradually awaking to the existence of an entirely new, most unexpected, and decidedly dangerous situation in the Southwest. The Treaty of San Ildefonso had been well concealed, but by the early summer of 1801 disquieting rumors concerning it were afloat in the United States. By the spring of 1802 everybody in the United States knew that France owned Louisiana. When the realization of this state of affairs took full hold of his mind, Jefferson was badly disturbed. "There is on the globe," he wrote, "one single spot, the possessor of which is our natural and habitual enemy." The place was New Orleans, and Napoleon's course had made it impossible for France and the United States to remain friends. "On the day that France takes possession, we must marry ourselves to the British fleet and nation. We must turn all our attention to a maritime force." Then, the renewal of the war in Europe would be the signal for an American attack upon Louisiana. These sentiments came from the admirer of France, the hater of navies, and the philosophical pacifist!

This letter, written April 18, 1802, to Livingston, the American minister to France, was intended as the first step toward a possible solution of the difficulty by diplomacy. For several months Jefferson did nothing more. Then, in December, 1802, he heard that the Spanish authorities in New Orleans had withdrawn the right of deposit. That news aroused the whole country, and the West insistently demanded war. There was no longer any time for delay. Jefferson decided to send Monroe over to France, as a special agent, to buy New Orleans and a part of West Florida. Congress appropriated two million dollars to defray expenses, and early in 1803, Monroe hurried away. He was instructed to offer as high as ten million dollars for New Orleans and the two Floridas. If France refused to sell, he was to negotiate for a renewal of the right of deposit. Failing in that, Jefferson hinted that he would probably be sent to England, to negotiate a treaty of alliance.

On April 10, 1803, just before Monroe's arrival, Napoleon called in his finance minister, Marbois, for an interview. "Irresolution and deliberation are no longer in season," he announced to his astonished subordinate; "I renounce Louisiana. It is not only New Orleans that I cede; it is the whole colony, without reserve . . . I direct you to negotiate the affair. Have an interview this very day with Mr. Livingston." During this conversation, or rather monologue, Talleyrand apparently had been listening through the keyhole. Shortly thereafter he startled Livingston with an offer to sell the whole of Louisiana. The American minister had had no previous hint of Napoleon's extraordinary decision, and in his utter bewilderment at the magnitude of the offer, he replied that his government would not be interested. When he came to his senses, he began to realize what an opportunity he had just thrown away. Hurriedly returning to Talleyrand, he asked for terms, and negotiations started. On Monroe's arrival the two men signed the treaty which transferred Louisiana to the United States. For the sum of fifteen million dollars the United States got the territory with the same limits it had when ceded by Spain to France, in other words, with the southwestern boundary not determined. No one knew even whether or not Texas was included in the purchase. Livingston and Monroe tried to get from Marbois a formal statement regarding boundaries, and the French minister carried their request to Napoleon. That astute gentleman had no intention of clearing up the uncertainty. "If an

obscurity did not already exist," he sagely observed, "it would perhaps be good policy to put one there." Talleyrand was as noncommittal as Napoleon on the subject, and the Americans were left free to take what they could get. Their work was a diplomatic triumph of tremendous importance. No other American negotiators ever secured so much for so little.

On October 21, 1803, the treaty was proclaimed in effect, while Spain was still in possession. On November 30, control passed to the hands of France, and on December 20, France turned the region over to the United States.

This purchase settled for all time the problem of the navigation of the Mississippi, and with it all danger of a rebellion of the frontier states. Furthermore, it brought the United States into direct contact with Mexico, and so the occupation of Louisiana proved to be a step toward the annexation of Texas and the conquest of the Southwest.

Valuable as the purchase was, the report of its consummation gave Jefferson no little concern. Just where did the Constitution authorize the purchase, and the incorporation, of foreign territory; and what right had the Prince of Strict Constructionists to stretch the fundamental law? Jefferson himself realized keenly the inconsistency of his stand, and to soothe his own conscience he drafted a proposed amendment to the Constitution, as a sort of *ex post facto* way out of his trouble. On Gallatin's advice, he pigeonholed it, for fear that it might give his opponents an unnecessary argument against him.

With this step Jefferson virtually discarded strict construction. It had been a good doctrine to use against the Federalists, but once in power, Jefferson found himself driven by the very force of circumstances into the paths blazed by his old adversaries. At last the head of the Democratic party was willing to admit that the federal government could govern.

The possession of new territory brought up the problem of government, and this Jefferson and Madison were prepared to solve. Together they drew up a bill for the purpose, which Congress passed in 1804. This provided for a governor, secretary, judges, and a legislative council of thirteen members, all to be appointed by the president. There was to be no elective assembly. French civil law was to remain in force. It will be recalled that with the exception of a clause guaranteeing freedom of worship to Roman Catholics, this bill was a close

copy of the constitutional portions of the Quebec Act of 1774. Just how Jefferson reconciled his Louisiana Government Act with his attack upon the Quebec Act in the Declaration of Independence he wisely never took the trouble to explain. This most undemocratic measure was repealed in 1805, and the principles of the Ordinance of 1787 were substituted for it.

Evidently the purchase of Louisiana stimulated Jefferson's desires for expansion, and he began to look longingly toward the Floridas. On the theory that the region around Mobile had been included in Louisiana, in 1804 Congress established a customs district there. In 1805, Jefferson was ready to use a combination of force and money to secure the whole province of West Florida, but the defection of John Randolph defeated his plan. Later, when Madison was president, West Florida was seized and occupied by American troops. Finally, in 1819, Spain sold her Florida possessions to the United States.

FEDERALIST OPPOSITION

While Jefferson was going through that process which made him an exponent of broad construction, the New England Federalists had been undergoing a change in the other direction. Ever since Jefferson's entry into national politics the attitude of New England toward him had been one of opposition. During his presidency this was transformed into bitter hatred. Maddened by their exclusion from any share in the conduct of the federal government, they determined to do what they could "to save New England." The remedy proposed was the one generally resorted to by extreme malcontents from then on until 1861, namely, secession.

Convinced that the union must be dissolved, Pickering of Massachusetts along with Griswold and Wolcott of Connecticut determined to establish a new confederacy. Choosing 1804, the year of a presidential election, they turned first to George Cabot of Massachusetts as the proper leader for their scheme. Cabot, however, did not favor secession. While it was entirely legal and proper, he said, it would not give New England the relief which she wanted. The fundamental difficulty as he saw it was the prevailing political doctrine of the day: too much democracy. "Even in New England," he complacently wrote, "where there is among the body of the people more wisdom and virtue than in any other part of the United States, we are full of errors which no reasoning could eradicate."

Failing in their hope of putting Cabot at the head of their scheme, the secessionists turned to New York, where they could find the very sort of leader they needed: Aaron Burr. To be sure Burr was a Democrat, and vice-president under Jefferson, but the prospect of becoming the chief executive of a new government appealed to his vanity. According to the plan, Burr was to run for the governorship of New York on the Federalist ticket. Then, if he were successful, he would lead the northern states in their revolt against the Virginia tyrant. Burr carried New York City, but thanks to the determined opposition of Hamilton, he lost the state as a whole. Burr's defeat ruined the plans for a new confederacy. Blaming Hamilton for his failure, Burr challenged him to a duel, and killed him.

Henceforth Burr became something of an outcast. During 1804, 1805, and 1806 he was at work on some harebrained, visionary scheme in the Southwest. Just what it was nobody has ever found out, but his plans went so far that Jefferson proclaimed him a traitor. He was placed on trial, but there was no evidence sufficient to convict him. After acquittal, he became more decidedly an outcast, traveling extensively in Europe, always incorrigibly cheerful, always devoid of any sense of shame, never lacking feminine society which constituted his chief interest in life.

In the election of 1804 Jefferson was renominated unanimously, with George Clinton as vice-president, and the Democratic ticket was successful, with one hundred sixty-two votes, to fourteen for the Federalist candidates.

CHAPTER XXVI

EMBARGO AND NON-INTERCOURSE

With the renewal of the European war in April 1803, Jefferson soon found himself confronted by much the same set of maritime problems which had troubled his predecessors. Neutral rights ceased to exist, as they always do in every life and death struggle between nations. Neither from 1803 to 1812, when the nation was weak, nor from 1914 to 1917, when it was strong, were the merchants of the United States free to trade where and how they would. In each case their commercial course was *shaped* for them—not interrupted, it should be observed—by powers over which they had no control. Their government could protest in their behalf, but, with national existence at stake the protests of a neutral were worth precisely nothing.

From 1803 to 1807 American merchants were undeniably prosperous, and they were not confined to any single field. They were exchanging American raw products for English manufactures, and they found a profitable carrying trade between the West Indies and France. The value of their exports nearly doubled until the trade was wrecked, possibly in part by a combination of European decrees, more probably by the Jeffersonian Embargo.[1]

ENGLISH ORDERS AND FRENCH DECREES

By 1807, The European war had settled down to a unique endurance test, with neither one of the two chief belligerents, France and

[1] Exports from the United States

Year ending Sept. 30,	1803	1804	1805
Domestic produce	$ 42,205,961	$ 41,467,477	$42,387,002
Foreign "	13,594,072	36,231,597	53,179,019
	$ 55,800,033	$ 77,699,074	$ 95,566,021

Year ending Sept. 30,	1806	1807	1808
Domestic produce	$ 41,253,727	$ 48,699,592	$ 9,433,546
Foreign "	60,283,236	59,643,558	12,997,414
	$101,536,963	$108,343,150	$ 22,430,960

England, able to strike a decisive blow at the other. In October 1805, Nelson's fleet had annihilated the French navy in the battle of Trafalgar, thus making an attack upon England an impossibility. On the other side, Napoleon had defeated all of his continental enemies: Austria at the battle of Austerlitz in 1805, Prussia at Jena in 1806, and Russia at Friedland in 1807. England was as powerless to crush Napoleon on land as he was to fight England at sea. Such being the case, both parties resorted to economic warfare.

England began this new phase of the war with a measure designed to interrupt the movement of West Indian goods to France. In judicial decisions rendered in 1799 and 1800, in the *Emanuel* and *Polly* cases, respectively, the English courts had held West Indian products on American vessels exempt from seizure, provided they were American owned, and had actually passed through a United States customs house. In 1805 a new decision in the *Essex* case reversed the above ruling, much to the dismay of American merchants and their French customers. Next, beginning with May, 1806, the British government issued a series of Orders in Council, all aiming at cutting off supplies from France. One declared the coast from Havre to Ostend under blockade, and prohibited to neutrals any coasting trade between Havre and the Elbe River. Another, published in January, 1807, declared the whole French coasting trade closed to neutrals. A third, of November 1807, put the whole European coastline under blockade, from Trieste to Copenhagen. Under this last order, no neutral ship could enter any port from which British vessels were excluded, unless it had first cleared from a British port, and had paid duties there. But any ship which met those requirements was liable to seizure in any French port!

Not to be outdone at this contest in paper blockades, Napoleon, always ambitious, planned for nothing less than the complete exclusion of English commerce from Europe. His great rival, he reasoned, was dependent for her very life upon the European market. Close it, he concluded, and the merchants would be ruined. Then, in their desperation, they would compel the government to make peace. What could be more simple? To this end he began to bring the ports of Europe under his control. By 1807, with his Russian treaty, he had everything in his hands, except Spain and Portugal. Such, in brief, was his "continental system."

By way of retaliation for the Orders in Council, Napoleon issued a

series of decrees, aimed of course at neutral as well as British trade. In November, 1806, from Berlin, he declared the British Isles under blockade, and announced that no vessel clearing from any English port would be admitted to any French port. In December, 1807, by the Milan decree, he proclaimed that any ship submitting to search by English officers, paying any duty to the British government, or even bound for or coming from a British port, would be seized on its appearance in French waters.

It is a difficult matter to tell just how these measures affected American trade. Because France was far from economically self-sufficing, Napoleon was obliged to make numerous exceptions in favor of neutral merchants; under his licenses, therefore, much trade went on. Furthermore, he was utterly unable to interrupt the commerce between the United States and England. Consequently the only trade cut off was that portion between the United States and France, which happened to be within reach of the British navy. The figures given above (see page 278) show certainly that up to the end of September, 1807, American commerce was still steadily expanding.

There is no doubt, however, that during this period the British navy made itself especially obnoxious. Finding it more convenient to cut off French trade at the source than at the destination, British forces maintained a virtual blockade of American ports. In doing this they stopped and searched neutral merchantmen, which they had a perfect right to do, under certain conditions. They also made a practice of impressing seamen, a procedure of doubtful validity at best, and certainly illegal at worst, and occasionally they killed an American sailor.

This question of impressment was a troublesome one. The navy was of course England's only hope in the contest with Napoleon, and yet its efficiency was steadily undermined by wholesale desertions. Life on board a British man-of-war was nearly unbearable, with wretched quarters and even more miserable food. Many of the crews had been filled by the press gangs, so it is not surprising that the seamen escaped when opportunity came. Being wise, they chose American ports as the best place to make their change; because in those they were always sure of employment in the American merchant marine. According to one estimate, American vessels were getting every year an average of twenty-five hundred deserters from the royal navy. Search parties took back about a thousand a year, along

with some bona fide American citizens. These practices were maddening, to be sure, but American trade continued, and the merchants clearly preferred to tolerate them, rather than to take chances with retaliation or war.

THE *CHESAPEAKE* AND THE *LEOPARD*

Sometimes British officers definitely passed over the line dividing the merely presumptuous and overbearing from the distinctly hostile, as for example in 1806 when the *Leander* was responsible for the death of an American seaman. But the most flagrant case occurred in 1807, in the *Chesapeake-Leopard* affair. In June of that year the American frigate *Chesapeake* started off for a cruise in the Mediterranean. According to rumor she had on board a deserter from the British navy, one Ratford. As the American vessel put out to sea, she was followed by the British frigate, *Leopard*. Once safely outside American waters, the *Leopard* hailed the *Chesapeake*, and announced that she had despatches for the American commander, Commodore Barron. When the *Chesapeake* hove to, the British commander demanded the right to search her for deserters. This would have been permissible in case of a merchant vessel, but in the case of a man-of-war, it was nothing but an arrogant insult. Naturally Barron refused to comply, whereupon the British ship immediately opened fire.

The *Chesapeake* was not in shape for action. Her guns had not been fitted to their carriages, her gun deck was piled up with supplies for the voyage, and her ammunition was inaccessible on short notice. Completely at the mercy of the *Leopard*, Barron surrendered, after his crew had succeeded in firing a single shot. The British then searched the vessel, found Ratford, and carried him off. For good measure, they also took three seamen, all genuine American citizens. News of this utterly indefensible proceeding naturally aroused a demand for war. Had Jefferson cared to resort to arms, he would have had the support of practically a united country. Even New England, which looked upon everything which Jefferson did as good reason for taking the opposite side, would have favored force to avenge the *Chesapeake*.

But Jefferson would have no war. Both Washington and Adams had insisted upon a policy of neutrality for the United States, and on the whole the country and posterity approved their course, in

spite of French insults to Pinckney and the whole X. Y. Z. affair. There were just as urgent reasons for maintaining peace after 1803 as before 1801. Federal revenue was still largely derived from English imports. No sane official desired to face a war, the first and most noticeable result of which would be to cut off the income essential to its successful prosecution. If the two Federalist presidents were justified in making every effort to preserve peace, Jefferson should not be too severely criticized for doing the same thing.

Whatever view may be taken of it, the Sage of Monticello had not the remotest intention of leading his country against Great Britain. In 1806 he tried John Adams's expedient of a special mission, sending William Pinckney and James Monroe to England. All they could get was the draft of a treaty so thoroughly unsatisfactory that Jefferson never even submitted it to the Senate. But the President was a man of almost infinite resource. Realizing that war would be no remedy for the difficulties of the time, and unable to get any results through diplomacy, he took his cue from the two belligerents in Europe, and began to ponder over a scheme of economic warfare. Knowing how eagerly both France and England were working to secure American foodstuffs and raw materials, he reasoned, with admirable logic, that these supplies furnished him with a possible weapon. Suppose American exports were entirely cut off; would not the haughty Europeans immediately sue for terms? First fascinated and then captivated by this product of his own brain, Jefferson proceeded to put it into execution.

THE EMBARGO

In his annual message to Congress in December, 1807, the President outlined his plans for "Peaceable Coercion." The legislature responded promptly, and the Embargo became law. This measure prohibited the sailing of any vessel from any port of the United States to any foreign port. Ships engaged in the coasting trade were required to furnish bonds, double the value of the cargo, that they would land their commodities only in American ports. In this way Europe would be deprived of supplies, and France and England would be starved into a course of decency toward the United States.

On more than one occasion Jefferson was forced to learn that the fabric of his dreams was not sound enough to stand the rough wear of real life, and never was the lesson brought home with more bitterness than in the case of the Embargo. "Peaceable Coercion" was not

even felt in France and it had no appreciable influence on public policy in England. The case-hardened diplomats in Europe were proof against any scheme of coercion, peaceable or otherwise, which bothered them so slightly.

Failing to achieve the purpose for which it had been designed, Jefferson's Embargo destroyed the trade it was supposed to protect. A glance at the table given above (see page 278) shows how the export trade fell off, to the extent of almost eighty-six million dollars in a single year. In New England, where one third of the ships engaged in the carrying trade were owned, there was serious hardship. Vessels were left to rot at the wharves, shipyards and warehouses were empty, sailors were idle, farmers lost their markets. At the same time, the national revenue was cut down at least fifty per cent.

Because the law was being violated at every opportunity, Jefferson urged Congress to enact a drastic enforcement measure. This was done in January, 1809. By this law the bond for coasting vessels was raised to six times the combined value of the vessel and the cargo, collectors were authorized to refuse clearance papers, if to their minds there appeared any intention to violate the law, and finally the use of the army and navy was authorized to compel obedience.

Under the circumstances, it is not surprising that the wrath of New England should have flared up into a veritable fury. Where in the Constitution did the author of the Kentucky Resolutions find any warrant for the Embargo? To be sure, Congress had power to regulate trade, but regulation clearly did not mean ruin. Furthermore, when had the Federalists in their best days ever perpetrated anything so flagrantly tyrannical and unconstitutional as the Enforcing Act of 1809? The merchants could see little but ruin ahead.

It is sometimes difficult to maintain an attitude of correct sympathy for Jefferson. In the winter of 1809, appalled apparently at the enormous destruction wrought by the Embargo and thoroughly frightened at the uproar in New England—or abjectly penitent at his gigantic blunder—the unhappy President laid down the cares of office and retired to Monticello, the only instance of abdication in American history.

PRESIDENT MADISON

Jefferson's successor, acting President for two months, and duly elected President for the next eight years, was James Madison. In personal appearance the new executive was pretty much everything that Jefferson was not. The "little Virginian" was only five and a half feet tall, and nervous as a schoolgirl. On inauguration day he was literally half sick with fright. While Jefferson was always a speculative philosopher, and generally a practical politician, Madison was never anything but a methodical scholar and philosopher. In the Federal Convention, in Congress, and in the State Department, where extensive and exact knowledge was much needed, Madison was perfectly comfortable, and unusually competent. But in the president's chair, which demands a combination of keenness in seamy politics, farsightedness in public problems, and vigor in execution, Madison was woefully deficient.

He had every reason to be dizzy and pale at his inaugural reception. The party organization which made him President was the creation of his predecessor. Even Jefferson had found it hard at times to make his following stay with him. Madison found it impossible. The machine had made him President, and even had Madison been temperamentally able to give orders, his party would not have obeyed them. As it was, he was compelled to appoint as his Secretary of State an incompetent nobody, whose policy in public service had only one aim: the embarrassment of his chief. This incubus, Robert Smith, with his brother in the Senate, wrecked the financial policies which Madison and Gallatin had counted on to save the administration.

The first important project that came up for consideration, excepting of course the ever-present foreign problem, was the question of the United States Bank, the charter of which was due to expire on March 4, 1811. There was no doubt that the Bank had been profitable, that it had been soundly managed, and that it had rendered a distinct service to the government. Madison, Gallatin, and William H. Crawford of the Senate, an able financier, all favored a recharter. But the bank had been established by the Federalists, and most of the Democrats had consistently railed against it as unconstitutional. Robert Smith in the Cabinet, William Branch Giles in the Senate, and Duane of the Philadelphia *Aurora* all worked against it. So it

happened that the party which had accepted the constitutionality of the Louisiana Purchase, the Embargo, and the Enforcing Act, now gave a spectacular exhibition of the soundness of their strict construction by refusing to continue the Bank.

The ablest man associated with Madison, Albert Gallatin, had considered the Bank essential. He saw it beaten by a group of second-rate politicians, men who could see little beyond their own immediate advantage and who showed no wisdom in deciding what that was. At the same time he saw appointment after appointment rejected by the same group, for reasons known only to themselves. With the situation brought to a crisis by Gallatin's wish to resign, the President was finally compelled to act. Getting rid of Smith, he made Monroe Secretary of State, and by doing so at least brought about harmony in his official family.

NON-INTERCOURSE

Jefferson's foreign policy, which among other troubles Madison had inherited, had accomplished nothing abroad, while it aroused bitter resentment at home. It fell to the new executive to do something, anything, to make the situation less bad. Just before the end of Jefferson's term, Congress repealed the Embargo, substituting for it a non-intercourse arrangement. This allowed trade with all the world but the makers of the two sets of restrictive decrees. Early in Madison's administration it seemed that he had a chance to restore commerce with England. George Canning, Secretary of State for Foreign Affairs, sent over a young minister named Erskine. Erskine and Madison agreed on the form of a treaty, covering reparation for the *Chesapeake* affair, the recall of the Orders in Council, and paving the way for a comprehensive commercial treaty. The Englishman had, however, been instructed not to grant these concessions without an agreement on the part of the United States to relinquish trade with the West Indies, and to permit England to enforce American non-intercourse with France. Because this condition had not been fulfilled, Canning recalled Erskine, and repudiated his treaty. The situation therefore remained unchanged.

On May 1, 1810, the original non-intercourse policy was abandoned. In its place a measure known as "Macon Bill No. 2" allowed trade with all the world. This provided that in case either Great Britain or France would revoke her obnoxious decrees, and the other

power should fail to do so, then the President should restore non-intercourse with the offending nation. Napoleon had rather enjoyed the Embargo and non-intercourse schemes, because they enabled him to seize all American vessels in his ports. By so doing he could assist a friendly power in enforcing its laws. But the Macon Bill was a different matter. Anxious to prevent the reopening of Anglo-American trade, he announced in October, 1810, in the "Cadore Letter," that his decrees were revoked, with the understanding that the United States should compel England to revoke hers.

Eager to find a way out of a bad situation, and ignoring the patent absurdities in Napoleon's proposal, Madison accepted it as though it were a genuine repeal of the French decrees. The British government insisted that the Cadore Letter was a mere blind, and refused to repeal the Orders in Council; non-intercourse with England was therefore revived.

During 1810 the much harassed American export trade had begun to revive, reaching on September 30 the total of $66,757,970. With the revival of non-intercourse it declined again, and when the War of 1812 was well under way, it dropped to under $7,000,000. Before the war started, the British government disavowed the act of the captain of the *Leopard*, and made reparation for the *Chesapeake* affair, but all attempts to settle the other troubles resulted in failure. Madison had been granted three years of experimentation in foreign relations, and at the end of that time his power of control was taken away.

CHAPTER XXVII

THE WAR OF 1812

So far as causes went, there was no more reason for an American declaration of war in 1812 than at any other time in the preceding twenty years, except of course the years of peace from 1801 to 1803. But while conditions remained the same, human factors were subject to change, and in 1810 the country elected a new Congress.

The old one, the eleventh, had included a majority of slow-moving members, who realized the difficulties under which the country labored, without being able to devise any plans for removing them. Bad as the commercial situation had been, they had not wanted war, for that would have made matters worse. Under the circumstances, war to them meant little more than a public confession of hopelessness and helplessness. In the new Congress there were numbers of younger men, restless spirits who had long chafed under the cool indignities heaped upon the United States by the British and French governments. Little given to considering remote consequences, they demanded war to vindicate American honor.

In this group were included Henry Clay of Kentucky, chosen speaker of the House, Felix Grundy of Tennessee, and Cheves, Calhoun, and Lowndes of South Carolina. Angered at the long manifestation of incompetence, they made up their minds to act. They would at least have the satisfaction of doing something, and whether they got results or not they would in their very action free themselves from much torment of soul.

On November 29, 1811, Peter B. Porter, an older radical, chairman of the House committee on foreign affairs, submitted a report demanding war. This show of spirit found an enthusiastic response in the country at large. From state after state resolutions came in, urging an immediate declaration.

But it was one thing to talk war, and a very different one to provide the necessary forces and supplies. It was not until June 26, 1812, a week after the declaration of war, that Congress passed a bill for increasing the standing army to twenty-five thousand men. A bill

for a volunteer force of fifty thousand had already become law. Nothing at all was done for the navy. As for revenue, Congress first found fault with Gallatin because he recommended the old Federalist devices of direct taxes, excises, stamp duties, and double import duties, and then, in June, washed its hands of the whole matter. On the eve of war no effort was made to raise money.

THE DECLARATION OF WAR

On April 1, an embargo, preliminary to war, was adopted. On June 1, Madison sent in a war message to Congress, and on June 18, after a long-drawn-out discussion, that body declared war. On June 16, England revoked her Orders in Council. The vote in the House was seventy-nine to forty-nine, with a majority of New England members in the opposition. The minority ridiculed the plan of plunging into a war to redress the commercial wrongs of a section violently opposed to war. In New England itself the opposition was intense and bitter. The governors of the states refused to call out their militia, a course approved by public opinion and the legislatures.

When the war began the United States had an army of six thousand seven hundred men, under the command of officers who were old and lazy, while some were habitually drunk. General Dearborn, commander-in-chief, was sixty-one. Thomas Pinckney was sixty-three, James Wilkinson was a notorious, thoroughgoing, but very clever scoundrel; William Hull was sixty years old.

England, the enemy power, had a navy of more than eight hundred war vessels, two hundred and thirty of which were larger than any American craft afloat. The American navy consisted of a dozen ships. But unlike the army, it had some able officers, and there were hundreds of trained sailors who could be used to advantage on privateers.

The American treasury was empty, and no new taxes were provided for. England had an income of seventy million dollars from taxation alone. The odds against the United States were heavy. But the country had a distinct advantage in its geographical situation, in some respects an asset more important, than an army, navy, or an income.

The "War Hawks" of 1812 had talked freely of conquering Canada. So simple a matter was it, Clay declared, that the Kentucky militia, alone and unassisted, could easily take Montreal and upper Canada.

Likewise the idea of dictating peace to the conquered Britons in Quebec or Halifax made a strong appeal to their imaginations, and they were anxious to put troops on the road at once.

With the conquest of Canada as the primary object of the war, General Dearborn planned a campaign against Montreal, along the route of Lake George and Lake Champlain. In the Revolution General Burgoyne had failed dismally in his effort to complete the trip from Montreal to Albany over this very same route. Could the Americans do any better moving north? Along with the main attack there were to be three other subsidiary movements, one from Sackett's Harbor, on the eastern end of Lake Ontario, one from Niagara, at the western end, and one from Detroit, between Lakes Erie and Huron.

Apparently not a man in Washington or in the field had any comprehension of the tremendous difficulties in such a campaign. The frontier could not supply the army with provisions, and there were no military stores in that quarter. Moreover there were no good roads, for transporting men, munitions, or food. "It cost sixty dollars to get a barrel of flour from Philadelphia or New York to Detroit, and fifty cents to transport every pound of shot, cannonballs, and ammunition."

The first actual advance was that toward Malden, on the Canadian side, some twenty miles across from Detroit. General Hull took command of his troops at Dayton, Ohio, before war was declared, and started on the two hundred mile march toward Detroit. Although he knew that the British controlled Lake Erie, Hull, in a moment of unbelievable stupidity, sent all his baggage, hospital stores, intrenching tools, and even his muster rolls, and instructions, by schooner to Detroit. Of course they were captured, and the British were then fully informed as to all the American plans.

Even with this gratuitous help, the British commander, Brock, could not muster a force as large as Hull's. Hull crossed into Canada, and then, overcome by fear, recrossed to Detroit. Brock followed, and by playing upon the American general's timidity, frightened him into a surrender. Brock, with a force of hardly more than thirteen hundred men, had captured an American army of twenty-five hundred; worse yet, with Detroit he got the whole Michigan territory. The wretched showing at Detroit was typical of the land campaigns of 1812. Militia forces were inadequate, officers were

stupid, the War Department incompetent, the preparations rarely sufficient.

Little more was attempted for the remainder of 1812. General Dearborn led a large force from Plattsburg up to the Canadian line,



Operations Along the Canadian Border

but the militia refused to cross over, so he marched back to winter quarters. Another campaign around Niagara resulted in complete failure.

In 1813, after Perry had secured control of Lake Erie, General William Henry Harrison, the new commander in the Northwest, landed a large force near Malden, and the British began to retreat. On October 5, at the battle of the Thames, Harrison won a brilliant victory. This secured the West, and ended the Indian menace, hitherto a serious obstacle in the way of the Americans.

In the same year, 1813, renewed efforts were made to cross over into Canada from northern and western New York. The American commanders were the rascally Wilkinson, and Major General Wade Hampton, a capable man and an able commander, who despised Wilkinson with a healthy, wholesouled thoroughness which furnished Americans with at least a little to be thankful for in connection with this campaign. Because of Wilkinson's incompetence, and disinclination to work with Hampton, nothing was done. Other forces

under Dearborn did succeed in crossing to Toronto, or York as it was then called, and burned the Parliament buildings there.

In the following year Madison finally appointed some new generals, who began to win victories. In July, Scott defeated the British at Chippewa, and later the Americans practically won the decision at Lundy's Lane. But British reinforcements prevented the Americans from occupying any appreciable stretch of Canadian territory.

THE NAVY

The war on the sea proved to be, for a time, far more satisfactory to the Americans than that on the land. Three days after General Hull surrendered Detroit, his nephew, Captain Hull, commanding the frigate *Constitution*, defeated and destroyed the British *Guerrière*. Three other duels of similar sort convinced the Americans that given a fair chance on the sea, they could make a better showing than the British. But the British forces were so overwhelmingly superior that before the end of the war the American flag disappeared from the seas, except in the case of a few daring privateers. Moreover, from Cape Cod south, the British maintained an effective blockade of the American coast.

On the Lakes, however, the Americans were able to show their skill, and to turn it distinctly to account. In the winter of 1812–1813, Captain Perry was placed in charge at Lake Erie, with orders to build a fleet. Working under heavy handicaps, by the summer of 1813 he had six vessels in commission, and with these, on September 10, 1813, he won his celebrated victory and with it the control of the Lakes. In addition, this victory on Lake Erie forced the British to abandon Detroit and Malden, brought about the recovery of Michigan, and made possible Harrison's campaign on Canadian soil.

The last naval battle of real consequence in the war was fought on Lake Champlain. In the summer of 1814 the British planned to send a force of eleven thousand men down the Lake over Burgoyne's old route, to Albany. Captain Thomas Macdonough was in command of the few American vessels on Lake Champlain. Although he had the smaller force, he used it to the best possible advantage, and won a brilliant victory. By so doing he made the proposed British invasion of New York impossible.

In the South, Andrew Jackson was placed in charge of militia forces, primarily to break the Indian power in Georgia and Alabama. During

the spring and summer of 1814 he was fighting the Creeks, breaking their power at last in the battle of Horseshoe Bend. This victory opened up a new section of the Southwest to white settlement, and consequently to cotton culture. As for Jackson himself, it brought him a major-generalship, and the command in the Mobile-New Orleans district.

THE CAPTURE OF WASHINGTON

With the defeat of Napoleon in 1814, the British government was able to devote more of its forces to the American war. In addition to the projected invasion by way of Lake Champlain already referred to, the officials planned one campaign in and around Chesapeake Bay, and another against New Orleans. On the Chesapeake the two main objectives were Baltimore, with its shipping interests, and Washington, the federal Capital. By scattering the officials and members of Congress, and by burning the public buildings, the British aimed to get revenge for the burning of the Canadian buildings at Toronto, and at the same time, to destroy American confidence—what little there was in the Madison administration.

For nearly a year and a half before the land attack the British fleet had been in full control of the Bay, yet the administration had not taken a single step toward defending Washington. On August 19, 1814, General Ross landed four thousand veteran troops at Benedict, Maryland. To meet this danger, General Winder, in command, and Monroe, Secretary of State, sent out a hurried call to the neighboring states for militia. Then, after a hasty glance at the improvised army drawn up to guard Washington, Madison and his Cabinet hurried off to take refuge in the woods of Virginia. Once in the Capital, the British burned the Capitol building, department buildings, and the White House. This done, at the end of a week, the British reëmbarked, while the population of Washington, official and otherwise, slowly filtered back to view the wreckage.

During the same summer, British forces occupied portions of Massachusetts, now in the state of Maine. By September, they were in full possession of the region around the Penobscot River, and the inhabitants were required to take an oath of allegiance to George III.

NEW ORLEANS

The last campaign of the war, in the New Orleans district, began late in the fall of 1814. On December 23, the advance guard of the British army was within seven miles of New Orleans. General Jackson succeeded in administering such a check to that force that the commander waited for the main army. After another preliminary encounter, in which the advantage was with the Americans, the real battle came on January 8, 1815. The British forces, veterans of seven years' experience in Europe, were completely defeated, and by the end of January they were in full retreat. This victory, however, had no effect upon the outcome of the war, because just two weeks before the battle, the treaty of peace had been signed.

Even so, in the minds of Americans, Jackson's success seemed ample compensation for the disastrous record in 1812. The work of the younger commanders overcame the wretched shortcomings of John Armstrong, the Secretary of War, the niggardly financial policy of Congress, the exigencies of party politics, and the insufferable and amazing incompetence of President Madison. It was the sheer good fortune of the Americans, rather than any trace of ability in their administration which saved them from utter disaster.

THE HARTFORD CONVENTION

While the federal administration was demonstrating its incapacity in the conduct of the war, the New England Federalists were gradually moving from opposition toward secession. From the very beginning of Jefferson's first term, in fact from the day of John Adams's defeat in 1800, New England had complained about Democratic mismanagement. As they saw their commerce ruined and their prosperity destroyed under the operation of the Embargo, and of the war, their enthusiasm for the federal system vanished, and they turned their attention to something, anything, which would free them from the hopeless incubus of Madison.

In the years before 1812, and for many years afterward, the stock remedy for a dissatisfied section was the doctrine of states' rights, set forth in excellent manner in the Kentucky and Virginia Resolutions. The New Englanders had even talked secession in 1804, and as they saw calamities accumulating around them, they naturally reverted to their states for protection. Perhaps the Federalist view was most

ably represented in some resolutions of the Connecticut and Massachusetts legislatures, which, in subject matter and tone, deserve to be ranked with their more famous prototypes from the South. The Connecticut legislature declared that "the state of Connecticut is a FREE, SOVEREIGN and INDEPENDENT state; that the United States are a confederacy of states; that we are a confederated and not a consolidated republic." In similar vein, the Great and General Court of the "free, sovereign, and independent State of Massachusetts" resolved that "Whenever the national compact is violated . . . this legislature is bound to interpose its power, and wrest from the oppressor its victim. . . This is the spirit of our Union . . . explained by the very man [Madison] who now sets at defiance all the principles of his early political life."

Acting upon these principles, in September 1814, Massachusetts withdrew her militia from federal service, and placed the force, seventy thousand strong, well drilled and well equipped, under a state commander. This step was taken two weeks after the capture of Washington, and one week after a portion of Maine had been overrun by the enemy. Justification for the act was found in the necessity of providing for local defense, because of the notorious inability of the federal government. Connecticut had already done the same thing, and these state armies, more formidable than any federal forces, naturally gave the timid President ample cause for concern.

The Federalist attitude toward the war was made even plainer in the withholding of financial support. Connecticut, Rhode Island and Massachusetts were as well able to furnish this kind of help as any other three states in the union. At the end of 1814 New England banks had nearly one-half of all the specie in the country. Of the first war loan of eleven million dollars, in the spring of 1812, New England took less than a million. During the whole war, New England bought less than three million dollars' worth of bonds, while the Middle States took thirty-five million. Refusing to use their wealth in helping their own government, they sent specie into Canada, and bought British drafts.

At the same time, New England merchants were furnishing supplies to British fleets operating off the coast, and sending beef for the British armies in Canada. At one time two thirds of the enemy forces were using American beef.

One of the best, clearest, and most logical expositions of the states'

rights doctrine and of the New England state of mind is to be found in a speech in the House of Representatives, delivered on December 9, 1814, against a proposed federal conscription law. "No law professedly passed for the purpose of compelling a service in the regular army, nor any law, which under color of military draft, shall compel men to serve in the army, not for the emergencies mentioned in the Constitution, but for long periods, & for the general objects of war, can be carried into effect. In my opinion, it ought not to be carried into effect. The operation of measures thus unconstitutional & illegal ought to be prevented, by a resort to other measures which are both constitutional & legal. It will be the solemn duty of the State Governments to protect their own authority over their own Militia, & to interpose between their citizens & arbitrary power. These are among the objects for which the State Governments exist; & their highest obligations bind them to the preservation of their own rights and the liberties of their people. . . . With the same earnestness with which I now exhort you to forbear from these measures, I shall exhort them [his constituents] to exercise their unquestionable right of providing for the security of their own liberties."

The whole speech, of which this quotation is a short extract, is a moving appeal for nullification, in case the measure under discussion should become law. Neither Jefferson in 1798 and 1799, nor John C. Calhoun in the years after 1825 could put more strongly the case for state "interposition" against federal authority. In this instance the speaker was not from the South, but from New England. Not so many years later he was destined to move over to the other side of the question, and on that side to deliver the most famous plea for federal supremacy ever heard in Congress: the great reply to Hayne. This speaker of December 9, 1814 was no other than Daniel Webster.

Between 1800 and 1814 the discussion of states' rights and secession had been so common in New England that the subject had no terrors for any one. The union was still comparatively young, still an experiment, and every New England Federalist was convinced that the experiment was going badly. For proof, look at the commercial record, they said. In 1814 various towns in Massachusetts began to urge a convention, to consider measures for protection against further evils. The local House of Representatives took up the project, and in October voted to appoint delegates to meet at Hartford, to confer

with delegates from the rest of New England. Among the Massachusetts representatives were George Cabot, Harrison Gray Otis, and Nathan Dane. Connecticut and Rhode Island took similar action, and on December 15, 1814, the Hartford Convention assembled.

Represented in it were two distinct shades of opinion. All the members were thoroughly dissatisfied over the prevailing conditions, but they did not agree on a remedy. There is no doubt that the extremists were eager for secession. But the moderates controlled the deliberations, and they were prepared to try diplomacy and negotiation before they turned to the last resort. After a secret session of three weeks, they issued a report, setting forth their views. Part of this document consisted of quotations from Madison's own Virginia resolutions of 1798, now returning like an uneasy ghost, to add further torment to his troubled soul. "In cases of deliberate, dangerous, and palpable infractions of the Constitution, affecting the sovereignty of a State and liberties of the people, it is not only the right but the duty of such a State to interpose its authority for their protection, in the manner best calculated to secure that end." The President had good reason to fear that his own philosophy might be translated into action, against himself and his administration.

The report concluded with resolutions calling upon the states to adopt certain measures for their own protection. Their citizens were to be properly guarded against any federal conscription law; the states were to seek from the federal government authorization to defend their own territory, funds for which were to be derived from federal revenue, collected within the states. In addition the report recommended seven amendments to the Constitution, designed to abolish the three-fifths clause in the matter of representation, to make admission of new states impossible without a two-thirds majority in each house of Congress, to prohibit all embargoes of longer than sixty days, to prevent a declaration of war without a two-thirds vote, and others to put an end to the Virginia monopoly of the presidential office. If these various recommendations were unheeded, the delegates promised a second convention, and the promise was accompanied by a thinly veiled threat of secession.

The convention sent a committee on to Washington, to lay its demands before the federal authorities. But before they arrived news of Jackson's victory at New Orleans, followed by the report of satisfactory peace negotiations, made the errand ridiculous. This

news of victory and peace undoubtedly saved the union, for the New England Federalists, maddened by the ruin of their commerce, were bent upon serious business. With the war finally out of the way, the dissatisfied elements found it more profitable to resume their commercial operations than to continue the contest with the unfortunate Madison.

PEACE NEGOTIATIONS

Negotiations looking toward peace had been started in the very first year of the war. The Czar of Russia offered mediation, but while Madison accepted, the British government rejected the proposal. In the summer of 1813, Castlereagh offered to negotiate directly, and Madison was equally ready to grasp any scheme for getting out of the contest. It took time to bring the two groups of commissioners together, but they began their discussions in the summer of 1814. The American commission was noteworthy for the experience and sound common sense of all of its members, while three of them, John Quincy Adams, Henry Clay, and Albert Gallatin, were men of outstanding ability.

John Quincy Adams, the son of John Adams, had perhaps been more fortunate than the others in his opportunities and in the breadth of his experience. Having begun his career of public service at the age of eleven, when he acted as secretary to his father in Paris, 1778, he had represented his state in the federal Senate, and his country at St. Petersburg. In 1814 he was forty-seven years of age, with his qualities of strength and weakness fully developed. He was thoroughly familiar with the practice of diplomacy, and, unlike most diplomats of his time, honest and straightforward. But with all of his intellectual power and high principles, he had certain traits of personality and temperament which frequently proved embarrassing. Precise and stiff in manner, like his father, he antagonized those who might have been his friends. In dealing with strangers, colleagues, public officials, and even members of his own family he was generally cold and formal. Always aware of his own exalted purposes, and conscious of his own rectitude, he seemed self-important and priggish. He was indeed a good product of New England Puritanism; this he knew, and it was a matter of pride with him. Like all true Puritans, he was too introspective for his own good. Beginning at the age of eleven, he kept a diary regularly until within three days of his death, in which he recorded his extremely acute observations of public

affairs, prominent individuals, and of course of himself and his conscience.

On his arrival at Ghent in 1814, he wrote: "I dined again at the table d'hote at one. The other gentlemen dined together at four. They sit after dinner, and drink bad wine and smoke cigars, which neither suits my habits nor my health, and absorbs time which I can ill spare. I find it impossible, even with the most rigorous economy of time, to do half the writing that I ought." Life was a serious responsibility to him. Even when he permitted himself a mere taste of recreation, he had to go through the ceremonial of repentance and confession, not of course before a priest, but to his journal. "There are several particulars in my present mode of life," he wrote after several weeks in Ghent, "in which there is too much relaxation of self-discipline. I have this month frequented too much the theatre and other public amusements; indulged too much conviviality, and taken too little exercise. The consequence is that I am growing corpulent, and that industry becomes irksome to me. May I be cautious not to fall into any habit of indolence or dissipation!" Perhaps the greatest of John Quincy Adams's misfortunes was the lack of ability to see the humorous side of these comments.

On this same peace commission was Henry Clay, Speaker of the House of Representatives, "War Hawk" of 1812, the very opposite of his New England associate. The young Kentuckian, only thirty-seven years old at this time, was still possessed of the enthusiasm and high spirits of youth, qualities which Adams had always successfully repressed. Eager, hot-tempered, and impulsive, Clay knew nothing of introspection, moralizing, or confession; even repentance was something which overcame him, if at all, only at the rarest intervals, after heavy losses at poker. He was no Puritan. He thoroughly enjoyed sitting at table after dinner, smoking cigars and drinking wine; the quality mattered little, provided there was enough to go around. It was not his fashion to dine alone, like an anchorite; he loved the companionship of his fellow men, at dinner and all the time. "Just before rising," wrote John Quincy Adams—he rose at five a. m.—"I heard Mr. Clay's company retiring from his chamber. I had left them with Mr. Russell, Mr. Bentzon, and Mr. Todd, at cards. They parted as I was about to rise."

It was to be expected that these two would find it difficult to agree on any common course of action. Differences they had, many of

them, but they were kept from drawing too far apart by the tact of Albert Gallatin. After chafing for three years under the political tyranny of the Smith-Giles faction, the aim of which was to keep Madison as uncomfortable as possible, Gallatin welcomed the opportunity to go abroad. He was in some respects the ablest member of the commission. Even-tempered, tactful, thoroughly sensible, he assumed the responsibility of maintaining harmony. His good nature and endless patience were largely responsible for the final results.

To deal with this brilliant group of Americans, the British government sent a commission consisting of three mediocrities, practically unknown at the time, and destined to remain so. They were Lord Gambier, Henry Goulburn, and William Adams. More able men could not be spared; they were all at Vienna engaged in drawing the new map of Europe made necessary by Napoleon's surrender.

It may be that the British government saw no need for sending more suitable representatives. When negotiations began the American position was undeniably poor, so poor that the Americans might well have been expected to take whatever terms the Cabinet cared to lay down. On the seas the British navy was supreme, and the blockade of the American coast was steadily becoming more rigid. On land every attempt to invade Canada had failed, and there was little in the administration to inspire hope of better results to come. In New England the widespread discontent was pointing directly toward secession. The ending of the European war had suddenly released England from her burdens there, and enabled her to send her veterans to America. Furthermore, the policy of isolation which the United States had chosen and consistently followed had left her without an ally, if not without a friend in the world. Fully cognizant of the situation, the British envoys were inclined to be "arrogant, overbearing, and offensive." In October both groups of commissioners got word of the burning of Washington; the receipt of this news gave further tactical advantages to the British, so much so that when the game of negotiations started, they seemed to hold all the high cards.

Relying on the strength of their hand, the Englishmen opened with a series of terms not out of harmony with their victorious position. The greater part of the old Northwest was to be made over into an Indian state, independent, but under British protection. The northern part of Massachusetts (Maine) was to be ceded to Canada. The United States must relinquish all right to maintain war vessels on the

Lakes. Finally, the right of Great Britain to navigate the Mississippi must be renewed.

The Americans, on the other hand, had been instructed to obtain formal recognition of the theories of maritime law proclaimed by the United States, to secure indemnities for illegal captures at sea, and to urge the desirability of transferring Canada to the United States. On the submission of the British demands, the Americans promptly rejected them. At this point, the peculiar abilities of Henry Clay were put to work. Although entirely innocent of any knowledge of the game of diplomacy, he had given himself intensive training in another pastime, success in which depends upon a deep understanding of human nature, and upon skill in divining the mental processes of his opponents, the American game of poker. After looking over the British commissioners, he became convinced that regardless of their demands, they were unusually eager for peace. That was all Clay needed. On the strength of his convictions, the Americans refused to continue the discussions, and ostentatiously prepared to go home. Clay knew almost exactly how his adversaries would behave, and he was certain that, even if they recognized his bluff, they would not dare to call him.

He was right. Knowing little about poker, the British agents had neither the skill nor the courage to call; on the contrary, they made the blunder of letting Clay see how deeply disturbed they were at his procedure. Then they wrote home for new instructions, and got them. Moreover, their manner began to change. They knew that they had been forced out of their original position, so they became less arrogant, and very uncomfortable as they watched the untutored Americans playing them out of their assets.

The British had decided to make peace, as Clay guessed. Thoroughly tired of war the English people were uneasy at the prospect of any further fighting and opposed to any more expense. Moreover, if the contest lasted, there was always the danger that some European power might come to the assistance of the Americans. Britain was none too popular in certain quarters of Europe, and the history of the American Revolution had not been forgotten. The risks were too great.

THE TREATY OF GHENT

So it happened that the commissioners prepared to talk business, on any terms they could get. Both sides yielded on so many issues

that the final draft bore little relation to the original sets of demands or to what were supposed to be the issues of the war. Signed on December 24, 1814, the Treaty of Ghent provided for the cessation of hostilities, for the release of prisoners, for the restoration of all conquests on both sides, for the ending of Indian hostilities, and for the appointment of commissioners to settle disputed boundary questions. There was not even a remote reference to impressments, blockades, right of search, or neutral rights, nothing at all about the fisheries, nothing about the control of the Lakes. It was a very different document from the one Clay had pictured, back in 1812, dictated at Quebec or Halifax, so different that his description of it as a "damned bad treaty" may at least be understood.

But the treaty was not quite so bad as Clay thought at the time. There was really no need to settle the questions of maritime law, because they arose to cause trouble only during war, and the European war was over. No matter what agreements were reached during peace, there could be no certainty that they would be respected in another worldwide struggle. If the United States gained nothing by the war, she certainly lost nothing, except money and men. In view of the generally wretched showing of the government, the outcome might have been considerably worse.

The successes of the Americans at Ghent did much to atone for the failures of their superiors at Washington. The Marquis of Wellesley, brother of the Duke of Wellington, paid the commissioners a compliment in saying that "in his opinion they had shown a most astonishing superiority over the British during the whole of the correspondence." Fortunately the Americans were inclined to accept this view, and the treaty was unanimously ratified by the Senate.

CHAPTER XXVIII

THE PERIOD OF TRANSITION, 1815–1825

From the establishment of the federal government down to 1815, the United States had been compelled to labor under the constant pressure of foreign difficulties. On the frontier the Americans had been prevented from occupying lands belonging to them, and forced to suffer unnecessary Indian outrages, because of the machinations of Great Britain and Spain. When these dangers were removed, American vessels on the seas were subjected to indignities and outrages just because the two leading European powers happened to be devoting their talents to schemes for starving each other into submission. At home, political parties and sectional groups determined their policies and steered their courses in accordance with their attitudes toward these European complications. With almost all conceivable kinds of domestic issues waiting to be dealt with, the federal government was never allowed uninterrupted leisure for their study and solution. Because of this abnormal pressure the young nation was being twisted and stunted in its growth.

Suddenly all this was changed. With the collapse of Napoleon's power and the ending of the long wars, European statesmen, clamping down the lid on revolution, turned to the work of putting their much disordered house in respectable order. The United States found itself let alone for the first time in its history, free at last to work out some of its own destinies. With evident relief America turned away from Europe, and began to seek its fortunes in the region of opportunity along the western frontier.

THE AMERICAN SYSTEM

After the War of 1812 the leaders in the federal government determined to make the country prosperous by encouraging the development of the particular resources for which each section was best adapted, and to make it united by creating a physical basis of mutual dependence. Under this plan the manufacturing interests in the East were to be encouraged and protected from foreign competition

by a tariff. Then the South could devote itself to cotton culture, to furnish raw materials for the growing textile interests, and the West could specialize in food production, to supply both the other sections. By making each geographical area dependent on the other two, and by making them all prosperous, the new statesmen could easily get along without Europe.

To make the program work, a campaign of education was necessary, so that individuals could see the possibilities in domestic development. Moreover better facilities for communication had to be provided, to make possible the shipment of raw material, manufactured goods, and food from one section to another. The funds necessary for building roads and canals might be derived from a tariff, and this project might be used to convert both farmers and merchants to the protective tariff principle.

These, reduced to their lowest terms, were the fundamental ideas of the so-called "American system," usually attributed to Henry Clay. But while Clay was the great popularizer of this comprehensive program, he was not the inventor of it. Like other great conceptions, it was evolved out of the meditations of a large number of active-minded Americans. For a time all the "War Hawks" of 1812, including Calhoun, Lowndes, and Grundy, were associated in promoting the "American System" and in addition to them were John Quincy Adams, and somewhat later, Daniel Webster.

INDUSTRIAL DEVELOPMENT

The beginning of textile manufacturing in New England dates back to the earliest times, when every farmer wore homespun, but there was comparatively little manufacturing for sale until after the Revolution. Nothing like the factory system was possible until after 1789, when Samuel Slater introduced some of the new English machinery. Then in 1793 the invention of the cotton gin gave another impulse to industry. The real stimulus to New England manufacturing, however, came from the Embargo and the War of 1812. By cutting off the supply of English goods these elements of Democratic policy had encouraged enterprising Americans to meet the demand, and at the same time, by leaving so much shipping idle, the same factors were instrumental in transferring investments from commerce to industry. New England had ample water power for running the factories, with a generous supply of intelligent labor. Under these

conditions factories multiplied. Although the various statistics giving figures for the increase vary somewhat, the appended table gives at least an approximate idea of the rapid expansion in cotton manufacturing.[1]

For a good many years the worst features of the English textile mills were kept out of American factories. The working conditions were at least not bad, living conditions were undeniably good, and the operatives well cared for and happy. Charles Dickens, ordinarily a most caustic critic of things American, was delighted with conditions which he saw in Lowell, Massachusetts.

"These girls . . . were all well dressed; and that phrase necessarily includes extreme cleanliness. . . . They were healthy in appearance, many of them remarkably so, and had the manners and deportment of young women.

"The rooms in which they worked were as well ordered as themselves. In the windows of some there were green plants, which were trained to shade the glass; in all, there was as much fresh air, cleanliness, and comfort, as the nature of the occupation would possibly admit of. . . . I solemnly declare, that from all the crowd I saw in the different factories that day, I can not recall or separate one young face that gave me a painful impression; not one young girl whom . . . I would have removed from those works if I had had the power." [*American notes.*]

In 1841 nearly a thousand of the girls were depositors in the Lowell Savings Bank, with a total amount to their credit of nearly one hundred thousand dollars. The girls in the boarding houses clubbed together to buy pianos, they subscribed to circulating libraries, and they published a periodical.

These girls at the Lowell factories were of what might be called the first generation of factory employees in America. As such, they were recruited, not from a population knowing no other sort of life, but largely from the farms all over New England. The mills did not appear to them as a sort of unfortunate fate from which escape was impossible, but rather as an entirely new opportunity for making money.

[1]

	Spindles	*Cotton consumption, in pounds*
1810	90,000	10,000,000
1820	250,000	55,000,000
1830	1,250,000	78,000,000
1840	2,250,000	132.000,000
1850	4,000,000	275,000,000
1860	5,250,000	437,000,000

The woolen industry grew, but more slowly, and it was somewhat more widely distributed over the eastern and middle states. With its development came a demand for more domestic wool, and sheep raising became an important activity in some of the northern states, notably in New England. In Pennsylvania the iron industry was becoming important, and Pennsylvania, rather than New England, was the earliest center of protectionism.

From 1807 to 1815 these new American manufacturing interests had developed under the protection afforded by the Embargo and the war. After peace was restored in Europe, English manufacturers, in the hope of recovering their lost market in America, sent over quantities of textiles, priced so low that the Americans could not meet the competition. According to one authority the value of imports into the United States jumped from about $13,000,000 in 1813 to $147,000,000 in 1816.

This "dumping" process naturally alarmed the American factory interests, and they appealed to Congress for help. As a result, the Tariff of 1816 was enacted, going much further toward protection than any previous American measure of this sort. The law imposed a series of *ad valorem* duties ranging from seven and one half to thirty per cent. Coarse cotton goods were specially protected by the introduction of the principle of minimum valuation, that is, no imported cotton goods were rated at less than twenty-five cents a yard, for purposes of the tariff.

The bill was introduced into the House by William Lowndes of South Carolina, and John C. Calhoun took a leading part in securing its enactment. In the final vote the representatives of the Middle States and the West voted heavily in favor, those from the South divided, with twenty-three in favor and thirty-four opposed, while the New Englanders approved it by the vote of seventeen to ten. The opposition in New England came from the shipping interests, which were opposed to protection. Daniel Webster, the great states' rights champion in 1814, voted against the Tariff of 1816.

The party which put through the Tariff of 1816 had a very different attitude toward the Constitution and toward the powers of the federal government from that held by the original Jeffersonian Democrats from 1793 to 1801. The difference was manifested again in another nationalistic measure, the bill for the second United States Bank passed, like the Tariff, in 1816. This authorized a capital stock

of $35,000,000, one fifth to be held by the government. The president of the United States had the appointment of five of the twenty-five directors.

The young nationalists who sponsored the Tariff, Lowndes and Calhoun, were strongly in favor of the Bank, and they had the cordial support of Henry Clay, who, in 1811, had been primarily responsible for the defeat of the attempt to recharter the first bank. Like many others, he had been converted by experience with the financial difficulties of the War of 1812. With the enactment of these two measures the majority of the Democrats established themselves on the ground formerly occupied by the Federalists.

THE NEW WEST

While the East was laying the foundations of its great industrial system, the former frontier section, the old "West" was growing up to the dignity of statehood. Between 1812 and 1821 six new states were admitted, Louisiana, Indiana, Mississippi, Illinois, Alabama, and Missouri. The population was increasing rapidly in all parts of the United States, but the rate of increase was much more rapid in the region beyond the Alleghenies than elsewhere. Between 1810 and 1820 the total population increased from 7,242,000 to 9,636,000 while the figures for the West for the same years were 1,583,000 and 3,063,000. Or, to put it another way, in 1810 less than twenty-two per cent of the population lived beyond the Alleghenies; in 1820 nearly thirty-two per cent, and over thirty-eight per cent in 1830. The figures for some of the individual states show a surprisingly rapid development. In Indiana for example, the population was 24,000 in 1810, 70,000 in 1816, 112,000 in 1817. In the same state the town of Vevay was first laid out in 1813. By 1816 it had become the county seat, with a courthouse, schoolhouse, public library, a weekly newspaper, various stores and taverns and seventy-five dwelling houses.

This particular western boom, which filled up the old Northwest, really began about 1807. With the wave of prosperity which the European war brought to the United States, the former western movement had slackened somewhat. Times were good, opportunities for making money were abundant, so that there was no particular incentive to gamble with the uncertainties of the frontier. But the Embargo and the war put a stop to American commerce, and like-

wise to agricultural profits, and the pressure of economic reverses always turned the hopes of the discontented toward the West.

From 1811 to 1817 especially, people living in towns along the main highways and keepers of toll gates and bridges reported an almost constant stream of emigrants moving toward the Ohio valley and the Northwest. In one month in 1811, one interested observer in western Pennsylvania counted two hundred thirty-six wagons passing through his town. Four of the wagons had sixty people with them, but the average per wagon was about eight. Western New York told the same story. The road through Auburn was thronged with families from the East. In 1814, in one day, six wagons from Massachusetts, with seventy persons, went through Newburg, bound for Ohio. In 1817, the keeper of one toll gate reported that two thousand families, with sixteen thousand people, passed him, west bound. These examples are simply picked at random out of almost countless cases. Families who could not afford a wagon went on foot, drawing their few possessions, and occasionally small children, in a hand cart. The tide flowed on, almost without interruption, winter and summer alike.

The explanation of this westward migration is the same as that given for the similar trend during the colonial period: dissatisfaction with conditions at home, and hope for a more favorable environment on the frontier. Farmers found themselves confronted with the choice between more intensive agriculture, or moving out where they could get more land. For many the second alternative was the easier. Debtors and failures found hope in the western vision, and the ambitious laborer looked forward to becoming an independent property owner. Western opportunity became proverbial.

To what extent the opportunity was real, and to what extent imaginary may well be an open question. There is no doubt that in these western communities with their primitive standard of living the requirements of social convention did not prevail, so that there were practically no artificial standards to meet. That fact alone reduced to a negligible figure the cost of raising a family. The man who was ready to begin life all over again, and to live for a time as his remote ancestors had done, found his opportunity in the West. But for the man who appreciated the benefits and comforts of civilization, the boasted western opportunities were largely illusory. The father of the great American historian, economist, and sociologist, William Graham Sumner, who tried pioneering in this very period, came back

home, with the sage observation that if a man was willing to live as poorly and to educate his children as badly in the East as he would be obliged to do in the West, he could do better at home.

By 1815 the results of this westward movement were becoming apparent, in certain characteristics which differed materially from those in Europe. American growth was something unique. In the beginning English institutions had been introduced into the first colonies. Instead of remaining constant, these were subject to change, because of the demands of an entirely new environment. Gradually these communities developed institutions of their own, the product of British custom plus local need. With the exception however of the initial settlements, growth did not proceed in a single straight line. It was always beginning over again, as every new settlement pushed out into the wilderness. In each new area of colonization there was a return to primitive conditions. Gradually the environment was made to assume the appearance of ordinary farm land, under cultivation, but the pioneer never entirely recovered from the effects of his contact with the primitive. Furthermore, although the successive frontiers assumed more and more the external appearance of civilization, traces of early conditions persisted, and left their marks upon whole communities. So it happened that the transappalachian region was distinctly more American than the earlier frontiers, and the inhabitants in the old Northwest were decidedly more American than European.

On all the successive frontiers but the last, which was more of a mining section than the others, the stages in the settlement were much the same. The first human beings on the scene were Indians, hunters, and trappers. These white adventurers were closely followed by the traders, whose appearance marked the first step away from savagery. After the trader came the cattle-men, looking for free grazing along the wide expanse of empty land. The ranchers were soon followed by the first farmers, men who raised crops under the least satisfactory conditions. They began the process of bringing the virgin soil under cultivation. Once that was done, some of them settled down, and as the population increased, they resumed the ways and manners of civilization. The more restless of them, who could not tolerate the sight of smoke from a neighbor's cabin, moved ahead with the vanguard toward the next frontier.

Some of the newer farming sections in the West developed rapidly,

with towns, cities, and the accompanying beginnings of industrial life. These were the parts more favorably situated, within easy reach of road or water transportation. The pioneers never knew which sections were destined to grow, and which were not, and until the railroads came in, there were numerous backwaters of settlement, areas practically isolated from all the rest of the world.

During the colonial period the constant flow of new immigrants had tended to maintain some of the contacts with European culture. This was true, even in the frontier because many of the settlers there were new comers. Beginning with the Seven Years' War the number of immigrants dwindled, and it practically ceased during the Revolution. Then the long war in Europe, lasting for practical purposes from 1793 to 1815, had tended still further to prevent additional Europeans from coming over. Under the circumstances therefore the United States had been almost cut off from direct contact with the thought of Europe, at least in so far as it was embodied in human beings. At the same time, the country was subjected to a new influence, that of the frontier, which began to work back upon the older communities. Conditions had never been better for the amalgamation of the diverse elements in American life and for the adjustment of them to the mold of their environment.

AMERICAN TRAITS

It was more than simple accident when, after 1815, travelers from Europe began to describe the typical American, by himself, and in groups. Before 1800 the differences between the ordinary American and the ordinary European had not been so striking as to arouse lively comment. By the end of the War of 1812, the divergence was clear. The impressions that the foreign observers carried home with them varied considerably, depending on the part of the country visited, and on their own sense of humor, or lack of it, and on their power of adjustment. But in the case of those who traveled widely, there was general agreement that the New England population around Boston differed radically from the Americans living between Harrisburg, Pennsylvania, and Cincinnati, Ohio, the region then in process of transition from frontier conditions to the normal state of civilized society.

To an observing Englishman like Charles Dickens one of the outstanding American characteristics seemed to be general crudeness of

bearing, manners, and customs. In the early 1840's he was amused and disgusted at the widespread prevalence of the tobacco-chewing habit, with its accompaniment of spitting, regardless of time, place, or circumstance. On an Ohio River steamboat it disturbed him to find in the men's cabin no place but the floor to leave his clothes when he retired, and it did not add to his equanimity when, in the morning, he had to take them up on deck, to clean off the tobacco juice deposited upon them by his fellow-travelers during the night. The same signs of the habit he observed in Congress, at receptions, at inns, everywhere in fact, outside of the Boston, New York, and Philadelphia aristocracy.

He also found the Westerners serious-minded, taciturn, and lacking in humor. Many of them traveled in silence, ate their meals in silence, chewed their tobacco in silence, and spat with as much silence as possible. "Nobody says any thing, at any meal, to any body. All the passengers are very dismal, and seem to have tremendous secrets weighing on their minds. . . . Every man sits down, dull and languid; swallows his fare as if breakfasts, dinners, and suppers, were necessities of nature never to be coupled with recreation or enjoyment. . . . The people are all alike, too. There is no diversity of character."

But Dickens was perhaps a bit severe on the West. There were admirable qualities there, in spite of the veneer of tobacco juice. These new Americans were an industrious lot, hard workers, with few if any idlers among them. They were engaged in a serious business, that of conquering a continent, and if they appeared lazy when they traveled, they were probably tired out. The frontier did not develop the social graces, it is true, but it brought out qualities which were essential to the business at hand. Moreover these Westerners were ambitious, for themselves, and even more so for their children. Every man among them hoped to give his children a better place in the world than he had succeeded in making for himself.

It may be that this combination of hard work and ambition gave rise to another American quality, that nervous, hurried energy which always surprised visitors from abroad. This characteristic was natural with the Westerner, the original American. Its successor, the modern American "pep," has the weakness which always marks artificiality; the difference between the two is the difference between Andrew Jackson and the young "go-getter."

Another trait that distinguished the true American was his incorrigible, absolute faith in the future greatness of his country. Europe, already effete, was on the decline, and for the centuries to come the United States would be superior to any nation the world had ever seen. This conviction led naturally to boastfulness, which the Europeans were inclined to ridicule.

"Other nations boast of what they are or have been, but the true citizen of the United States exalts his head to the skies in the contemplation of what the grandeur of his country is going to be. Others claim respect and honor because of the things done by a long line of ancestors; an American glories in the achievements of a distant posterity. Others appeal to history; an American appeals to prophecy, and with Malthus in one hand and a map of the back country in the other he boldly defies us to a comparison with America as she is to be, and chuckles in delight over the splendors the geometrical ratio is to shed over her story. This appeal to the future is his never-failing resource. If an English traveller complains of their inns and hints his dislike to sleeping four in a bed he is first denounced as a calumniator and then told to wait a hundred years and see the superiority of American inns to British. If Shakespeare, Milton, Newton are named, he is again told to wait until we have cleared our land, till we have idle time to attend to other things; wait till 1900, and then see how much nobler our poets and profounder our astronomers and longer our telescopes than any that decrepit old hemisphere of yours will produce."

This breezy bit of satire from a London magazine of 1821 was far more genial in tone than many of the criticisms of American character and far more accurate. There is no doubt that both the faith and the bragging were carried to extremes.

Perhaps the most striking quality exhibited in these pioneer farmers was their resourcefulness, their capacity to adjust themselves to their mode of life, and supply themselves with what they needed. The life they were living drove them into adaptability. The man who could not fit himself to his environment may have gone back home, or he may have starved or frozen to death; in any case he ceased to be a pioneer. There was no charity in that sort of life. Men would help each other in misfortune and need, but they would not carry along the incompetents. Because of the necessity for doing things quickly, the American became a jack-of-all-trades, and in doing so developed qualities of superficiality which social inheritance has continued to hand on to this day. When the choice between doing a

thing quickly and doing it thoroughly meant the difference between life and death, the job was done, regardless of the manner. It could not well have been otherwise.

Of the lesser qualities, many foreign observers commented on the inquisitiveness of the Americans. They thought nothing of asking a stranger, and especially one from abroad, where he got his clothes, how much he paid for them, how he came by his watch, whether it was a gift or a purchase, and, if the latter, how much it cost and whether he wound it in the morning or at night. Then they inquired about his previous journeys, his plans for the future, and anything else that an active mind could think of. If the victim of all this rapid fire questioning seemed reserved, he was stigmatized as a conceited foreign aristocrat, really beneath the contempt of all true Americans.

—The western American was democratic, intensely and naturally democratic. In his community all men were on the same economic and social level. They had all gone through the same toughening experience, and had all come through successfully. There was no room for social distinctions to develop, because they are based upon the distinction between superior and inferior, something which did not exist in the West. Consequently there was no unfranchised element in the population—except of course the women and children. Every man could vote and hold office, and one was as good a representative of his section as another.

This was the part of the American population destined to come into control of the federal government in 1829, with Andrew Jackson, a true product of the West, and the idol of it, as president. Democracy, long admired in theory, came in with an amazing rush, and with disconcerting rudeness. These people objected to being ruled by the East, just as they objected to the strict banking and currency notions of that effete section. They demanded a simple government, with easy money, "wild-cat" banks, and rotation in office. And they were the men who were beginning to formulate the policies of the federal government.

They were demanding, among other things, the removal of the Indians, for which they had to wait until Jackson's time, and "internal improvements," for which they had the support of the eastern manufacturers. The success of the "American System" was dependent primarily upon better transportation facilities. Without direct

connections between East and West, the region beyond the Alleghenies would continue to do in the future what it had done in the past: use the Mississippi as its main highway. That in turn meant the purchase of British manufactured goods, because they could be secured more easily than American.

INTERNAL IMPROVEMENTS

The demand for better roads and for canals was in a way one of the products of the growing sense of national unity which the War of 1812 brought about, and of the conscious desire to stimulate nationalism after the war. As new states were admitted to the union, the need of direct connection with them kept forcing the question of transportation upon the mind of the public. In 1825 transportation by land in the United States was less speedy than it had been in Europe in the days of the Emperor Tiberius. He could travel two hundred miles in twenty-four hours. John Quincy Adams, going from Washington to Boston, could make on an average fifty miles per day.

The federal government did comparatively little in this work of linking up the different sections of the country. Its only big contribution was the old National Road, or Cumberland Road, connecting Cumberland, Maryland, with the Ohio River at Wheeling. By 1840 this highway had been carried to Vandalia, Illinois. After this project was well under way, various presidents interposed their veto between Congress and further undertakings of the sort. For example in 1817, when the Democratic party in Congress was still flushed with the national enthusiasm of 1815, John C. Calhoun introduced a bill to apply the million and a half dollar "bonus" which the Second Bank was to pay for its charter, to a broad system of internal improvements. In the last days of his administration, Madison had a sudden and unaccountable reversion to his original states' rights theories, and on the strength of them he rejected the plan. Monroe, Jackson, and subsequently Tyler all opposed the building of internal improvements at federal expense, so the task had to be undertaken by the individual states.

The greatest example of state activity was the Erie Canal in New York. Begun in 1817, it was completed in 1825, and paying dividends even before it was finished. The construction of this great waterway was the beginning of the movement that made New York City the greatest commercial center in the whole country. Once it was ready

for use, the Northwest could buy its supplies more cheaply from New York than from New Orleans. Before it was built, the freight rate on ordinary merchandise from New York to Buffalo was one hundred twenty dollars per ton; the canal cut this to fourteen dollars per ton.

When the other states saw New York capturing much of the western trade, they worked out projects for tying up their own seaports with the interior. Pennsylvania for example hoped to make Philadelphia the rival of New York by providing direct connection between that city and Pittsburg. The plans called for canals over a part of the distance, with horse railroads and inclined planes—like those still in use in Cincinnati—through the mountainous regions. Not to be outdone by her northern rivals, Baltimore made plans for a horse railroad from Tidewater to the Ohio valley. During this period the state of Pennsylvania chartered scores of turnpike companies, all aiming to open up hitherto inaccessible parts of the state. There was a veritable epidemic of canal building, all through the Northeast. The states went into the work so heavily that they went bankrupt. It so happened that the financial difficulties of the states came to a head at just the time when the first railroads were being built. Because the states were too poor to spend any more the work of constructing the railroads fell, more by accident than design, to corporations.

By 1827 several railroads were either definitely planned, or already under construction. The parent of the New York Central lines, the little Mohawk and Hudson, was started in 1825, and the first surveys for the Boston and Albany were made in 1827. The beginnings of the Pennsylvania and Baltimore and Ohio systems date back to this same year.

In the parts of the country blessed with navigable rivers, the steamboat promised to solve the problem of transportation. Although there had been some earlier experiments, the first successful steamboat trip was that of Robert Fulton's *Clermont* up from New York to Albany, in 1807. Four years later a steamboat was launched at Pittsburg, and by 1820 there were sixty in operation on the Ohio and Mississippi Rivers. This number increased to two hundred and thirty in 1830.

By these various means the country gradually created a physical basis for union. This made possible new economic connections, especially between the East and the West, and these again gave

further stimulus to a deeper feeling of mutual dependence. Expressed mathematically, manufacturing + agriculture + transportation = spirit of nationalism. In the West, where the states had never known a really independent existence, where they had all been trained under the guardianship of the federal government, perhaps this materialistic foundation of the union was not so important as elsewhere, notably in New England; there it was the big factor in transforming the philosophy of the section from states' rights to nationalism.

THE SUPREME COURT

This feeling that the United States was a nation, expressed in the American system, found further manifestation in the great decisions of the Supreme Court during this period. It was a constant source of irritation to President Jefferson that in spite of all he could do, John Marshall, Federalist, should remain as chief justice. And as a Federalist, Marshall was not at all unwilling to make the decisions of his court a means for setting forth the authority of the nation over the states. He did this, time and time again, in a series of masterly expositions of constitutional law.

One of the most important of these decisions, in Marbury *vs.* Madison, delivered in 1803, while the Jeffersonian reforms were still in progress, was, perhaps designedly, a warning from the Federalist chief justice to the Democratic president. Briefly, it set forth the doctrine that an act of Congress which is repugnant to the Constitution is *ipso facto* null and void. The facts in the case were simple. In the closing hours of his administration, Adams had signed a commission appointing one William Marbury justice of the peace. The commission was not delivered, and when the Democrats came in, Madison, the new Secretary of State, refused to deliver it. Thereupon the offended Marbury sought a *writ of mandamus*, to compel delivery. Marshall held that the Act of Congress authorizing the Supreme Court to issue that form of *writ* was unconstitutional, hence Marbury could get no relief from the Supreme Court. The reasoning of the chief justice was so clear and logical that it has not been effectively controverted down to the present day. Starting from the premise that the people of the United States had the right to lay down certain guiding principles for their government, which they had done in the Constitution, he argued that the Constitution determined the limits

of Congressional authority, and that the Constitution was the supreme law of the land. Then he concluded that an Act of Congress which was contrary to the Constitution could not be law, or, if it could, the Constitution became a dead letter. There was no middle ground.

While the reasoning is perfectly logical, Marshall might be accused of inconsistency in applying his principles to that particular case. The issue of a *writ of mandamus* by the Supreme Court could be justified under the doctrine of implied powers, which Marshall himself subsequently upheld. It would appear then that the decision in Marbury *vs.* Madison was designed to serve as a check on a Democratic Congress bent on weakening federal authority. Marshall had to have a convenient means for the assertion of federal supremacy, and Marbury *vs.* Madison was the first case that came to hand.

If Congress could not pass a law contrary to the Constitution, it logically followed that a state legislature was subject to the same limitation. This doctrine the court definitely declared in 1810, in Fletcher *vs.* Peck, which annulled an act of the Georgia legislature, revoking some of the Yazoo land grants. The court held that the law in question was a violation of contract, therefore unconstitutional. Later, in the famed Dartmouth College case, decided in 1819, the Court declared again that a contract could not be impaired by state law.

The same chief-justice was as willing to assert the authority of the Supreme Court over state courts as over state legislatures. In 1809, in United States *vs.* Judge Peters, the Court upheld the state courts of Pennsylvania against an act of the legislature. In 1816, in Martin *vs.* Hunter's Lessee, the Supreme Court accepted an appeal from a Virginia court, and reversed the decision of the local tribunal, on the ground that the state court had not kept within proper constitutional limits. Again in 1821, in Cohens *vs.* the State of Virginia, the Supreme Court asserted its right to receive appeals from state courts.

The doctrine of implied powers was set forth explicitly in McCulloch *vs.* Maryland, in 1819. The state legislature had imposed a tax on the local branch of the Second United States Bank. In upholding the rights of the Bank, Marshall declared that the Constitution conferred upon Congress two kinds of powers: fundamental and derived. If the end sought was legitimate, any means not specifically prohibited might be used. Therefore, he concluded, the law creating

the Bank was constitutional, and the tax law of Maryland was unconstitutional. As suggested above, the reason why this same line of reasoning would not apply to the *mandamus* sought in Marbury *vs.* Madison is not at all clear to the layman.

Among other important decisions was that in Gibbons *vs.* Ogden, in 1824. It declared unconstitutional an act of the New York legislature granting a monopoly of steamboat operation in New York waters. The Court declared that Congress alone had control of interstate commerce.

Combined with the growth of the country, and the steady increase of mutual dependence between sections, these decisions seemed to give definite form and direction to popular thinking about the Constitution and the government which it created. Once this nationalistic philosophy began to penetrate into and to take possession of the public consciousness, the theories of states' rights and secession were gradually forgotten. When they were revived and reasserted by a section which had not experienced this nationalistic development, they were received with pronounced disfavor, as though they were something new and revolutionary, when as a matter of fact they were older, and at one time more widespread than the doctrine enunciated by Marshall. The reasons for their rehabilitation are to be found in the course of development in the South.

CHAPTER XXIX

COTTON CULTURE AND SLAVERY

The trend of development in the North and West, distinctly nationalistic in character, proved to be the one which eventually triumphed throughout the whole United States. While it was going on, from 1815 to 1860, there was to be observed in the South a movement, not exactly in the opposite direction, but rather along the original line of state supremacy, a sort of "particularistic reaction" against the process of consolidation. Or, perhaps more accurately, while a nation of one type was developing in North and West, one of a very different type was being created in the South. For years the two remained under the same central government, but the tension between them was subjected to a heavier and heavier strain, until in 1860 and 1861, it suddenly snapped. Even during colonial days, the plantation colonies of the South had differed from the small farming communities of the North, but for a time it seemed that a common development along the whole western frontier would eventually bring about something like uniformity in the rural life, except of course along the Tidewater, where customs were too firmly fixed to be changed.

COTTON CULTURE

That might have been the outcome, had it not been for an entirely new factor, which profoundly affected the whole course of southern growth. This was the invention, in 1793, of Eli Whitney's "cotton gin." Before this contribution of Yankee ingenuity was available, one of the large items in the cost of producing cotton was that of separating the seeds from the fiber. This expense was so great that there was no profit in raising the short staple or upland cotton. But long staple, or "sea island" cotton could be grown only in specially favored regions in the low lands, so the area open to its culture was discouragingly small. Whitney's invention made possible the profitable cultivation of the upland variety, and therein lay its extraordinary significance. With this machine in general use, it became pos-

sible to raise cotton almost anywhere in the South, except actually in the mountains. This invention came just after the introduction of the improved textile machinery, first in England, and then in France and the United States, another revolutionary change, which greatly reduced the cost of cotton fabrics. So it happened that the cotton gin enabled the South to meet the steadily increasing demand for raw cotton, at home and abroad, and as a result practically the whole South was given over to cotton growing. The table given below shows how rapidly the South was given up to cotton.[1]

These figures go far toward explaining a good deal of southern history. It is plain for one thing that by 1834, the old South had passed its peak of production. Georgia succeeded in holding her own, but South Carolina had begun to fall back. At the same time the newer cotton states in the Southwest were going rapidly ahead, with a tremendous increase in production. The decline in South Carolina was due to the exhaustion of the soil, an inevitable consequence of careless methods of cultivation. By 1834 therefore that particular state was finding it impossible to continue the competition with the others on equal terms. The plantations were less productive than formerly, and the South Carolina planter felt the pinch of hard times. All this naturally bred discontent, and after the manner of

[1] *Cotton Crop (in million pounds)*

	1791	1801	1811	1821	1826	1834
S. C.	1.5	20.	40.	50.	70.	65.5
Ga.	.5	10.	20.	45.	75.	75.
Va.		5.	8.	12.	25.	10.
N. C.		4.	7.	10.	10.	9.5
Total	2.	39.	75.	117.	180.	160.
Tenn.		1.	3.	20.	45.	45.
La.			2.	10.	38.	62.
Miss.				10.	20.	85.
Ala.				20.	45.	85.
Fla.					2.	20.
Ark.					.5	.5
Total		1.	5.	60.	150.5	297.5
Grand Total	2.	40.	80.	177.	330.5	457.

Turner, *Rise of the New West*, 47.

Anglo-Saxons, South Carolina held the government responsible. This situation explains some of the discontent with federal policies which characterized South Carolina politics down to 1861.

In addition to throwing light on the decline of South Carolina, the figures tell an eloquent story of expansion into the Southwest. Nearly three hundred million pounds of cotton meant something in the way of new plantations! It was no mere accident which after 1850 made Jefferson Davis of Mississippi the successor of John C. Calhoun of South Carolina as the leading exponent of southern interests at Washington. As the economic balance shifted to the Southwest, political leadership was transferred at the same time.

SLAVERY

The spread of cotton growing was accompanied by a corresponding extension and commercialization of negro slavery. It seemed to the South that slave labor was essential on the cotton plantations. With the increase in the crop, the margin of profit declined, so large scale production became a necessity. White farmers could and did raise cotton, but there was no large supply of white labor available. The small farmer working his own farm could not compete successfully with the big plantation owner, who could afford to provide himself with labor in the form of negro slaves. The plantation therefore became the common cotton growing unit, with slavery for its labor system.

Negro slavery was nothing new in the United States. The first recorded appearance of it was in 1619, in Virginia, and the institution spread to all the colonies. Although slaves were held regularly in New England until the Revolution, the system never took firm root in that section. The slaves were a poor economic investment on the grudging New England farms, so they were to be found only rarely outside the towns. The merchants owned them, and kept them for household servants, stablemen, and gardeners. In the period before the Revolution there was hardly an issue of a Boston newspaper which did not carry advertisements offering rewards for the return of runaway slaves.

Besides, New England merchants were actively interested in the slave trade, and even after they ceased to own negroes themselves, they continued to sell them in the West Indies, and in the South, until Congress prohibited the trade. In the early eighteenth century

there was little if any feeling anywhere that slavery was ethically or morally wrong. People took it as a matter of course, or disregarded it, and their attitude depended solely on their own particular needs. During the Revolution and afterwards feeling against slavery became strong, more so perhaps in Virginia, where people were accustomed to it, than in New England where they saw little of it. But the New England states were the first to provide for abolition, which they could afford very easily to do, because the institution had never really taken hold there.

The question naturally arises as to why slavery should have taken root anywhere in the New World. The system enabled the planters to get a supply of labor, which at that time could not be secured in any other way. Europe wanted from America certain semi-tropical products from the West Indies, notably sugar and cocoa. White labor on the plantations could not be had, and the Indians refused to work. African negroes were found to work well, so they were used, in constantly increasing numbers. The same thing was true on the tobacco and rice plantations in the South. In a new country where land is cheap, free labor is always scarce and high; when there are no scruples against slavery, those in need of labor fall back upon it without question.

The West Indies and the plantation colonies were not the only sections where the prosperity was dependent upon slavery. In these island markets the middle and northern colonies found a steady demand for their foodstuffs: grain, meat, and fish. These latter regions would have been settled without such markets, but the wealth and prosperity which came to them were made possible by slave labor in the West Indies.

Once slavery had been adopted and the ruling class had become accustomed to it, a new factor appeared. Introduced to solve an economic problem, it developed into a social problem. The blacks were there, as subjects of the whites. It was far easier to keep the two races in that relationship than to attempt to work out new arrangements under which they could live in the same community. The white population came to the conclusion that whatever the shortcomings of slavery might be, they were less dangerous than the problem of freed negroes.

There is no doubt that the spread of cotton culture gave a new lease of life to slavery. In Virginia the economic wastefulness of the

institution had long been apparent, and the realization of this weakness can be traced out in the establishment of abolitionist societies. Before 1825 they were more numerous in the South than in the North. But the steadily growing demand for slaves, on the cotton plantations, and the steady rise in the prices of "good field hands," from two hundred dollars in 1792, and two hundred and fifty in 1815, to six hundred dollars in 1836, tended to smother any general abolitionist sentiment which may have existed.

And yet even on the cotton plantations the profitableness of slavery steadily decreased. Slave labor was worth most in opening up new land for cotton culture. Once this land was all taken up, the labor of the slaves would not have been sufficiently valuable to keep the prices of them up to so high a level. By 1840 it was plain that the value of slaves in the border states was maintained solely by the market for them in the new cotton country. Sooner or later, that demand was bound to slacken, and the cost of maintaining slaves would become greater than the return from their labor. Just when that point would be reached was not clear, but there were signs that it might have been by 1880 or 1900. Once the economic basis had gone, and it was certainly destined to go, the institution could not survive. Had it been allowed to die a natural death, the end would probably have come before the close of the nineteenth century.

But slavery was not allowed to die a natural death. On the contrary, the institution became the object of a long series of bitter denunciations by the abolitionists. Gradually those sections which had no slavery, impelled by the desire to make the whole country alike, began to attack those where it lived on. After the establishment of the federal government the first real controversy between the two points of view arose in connection with the admission of Missouri as a state.

THE MISSOURI COMPROMISE

In 1818 the territory of Missouri asked to be admitted to the union. The following year an enabling act was introduced, to make the territory a state. While it was under consideration, Tallmadge of New York moved two amendments, one to prevent the further introduction of slavery into the state, the other providing that all children born in the state should become free at the age of twenty-five. Why he did this no one knows. It may have been politics, or it may have

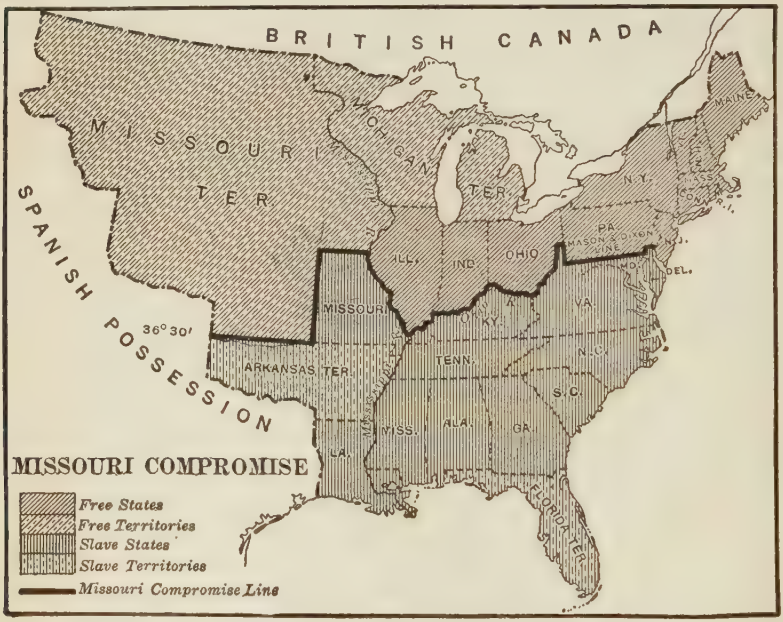
been philanthropy. In any case, he was responsible for starting a lively discussion which revealed how close to disunion the country always was. Moreover he was the aggressor in an attack upon the established order. Slavery had existed in Missouri ever since it had been a French colony, and up to the introduction of these amendments no serious attempt had been made by legislative enactment to abolish slavery where it already existed.

The Congressional debate upon the amendments, and upon the whole question of slavery, was notoriously lively. For the anti-slavery side Senator Rufus King of New York argued that, under the Constitutional provision granting power to make all needful rules and regulations for the territories, Congress could exclude slavery. For precedent, he cited Ohio, Indiana, and Illinois, all admitted under restrictions imposed by the Ordinance of 1787.

Because King chose to base his argument upon Constitutional grounds, he could hardly complain when the patent fallacy in his reasoning was pointed out. Whatever power Congress may have had over the territories, over the states it had only those named in the Constitution. In the Constitution as it was before the Thirteenth Amendment there was nothing to prevent a state from legislating as it pleased about slavery. Consequently Congressional prohibition of slavery could be binding only during the territorial period, because the state could repudiate it. To be sure no state tried the experiment with slavery, but in later years, Arizona successfully repudiated a restriction on its scheme for the recall of judicial decisions. William Pinkney of Maryland pointed out the flaw. He said that when a state entered the union, it came in on terms of equality with the older states, consequently, Congress should not try to restrict their freedom of action.

The Tallmadge amendment passed the House, but met defeat in the Senate. The debate, however, convinced the South that there was a determined antislavery minority in the North, and that the weaker section must be on its guard against aggression. For a defense against possible hostile action on the part of the federal government, the South turned to the Senate, where it was still on even terms with the North. In 1819 there were still eleven slave and eleven nonslave states, while in the House, the nonslave state representation was one hundred and five, against eighty-one for the slave states.

Just how the question would have been settled on the merits of the case no one knows. Fortunately the eastern counties of Massachusetts, now in the state of Maine, were applying for statehood. This furnished an opportunity to preserve the balance in the Senate, and to compromise the dispute. According to the Missouri Compromise of 1820, Maine and Missouri were both admitted, one free, the other slave. For the remaining part of the Louisiana Purchase, slavery



was forbidden in that part outside of Missouri, north of her southern boundary, the line 36° 30′.

The Southern leaders voted for the Compromise, to save the union, not because they approved of the principle. And in voting for it, many of them were left with a feeling of resentment that pointed toward future trouble. The justification of the Compromise is to be found in the fact that it did bring about a settlement of a troublesome question, for the time being, and not infrequently a settlement planned as temporary proves to be permanent. That such was not the case here was due to the introduction, later on, of new factors.

From the speeches of prominent leaders on both sides in Congress,

and from remarks made elsewhere, it is easy to see how deeply the country was stirred. The slavery interests felt that an unwarranted attack had been made upon a necessary institution. The opponents of slavery resented the suggestions of disunion. While the Compromise settled the immediate problem of slavery in the Louisiana Purchase, it also marked the beginning of the sectional conflict over slavery.

CHAPTER XXX

THE MONROE DOCTRINE

The first set of foreign problems with which the United States had to deal were concerned partly with boundary and frontier matters, and partly, perhaps largely, with commerce. By 1815 these had been pretty well settled. But once they were out of the way, the revolutionary situation in Latin America gave rise to a whole list of new difficulties, important enough to demand the definite formulation of a policy concerning them. For three hundred years the Spanish empire had gone on, without a single serious threat in the shape of revolution. During that time, both the government and the trade of the colonies had been controlled and regulated in most minute fashion by the Spanish authorities at home. No provision for self-government had ever been made; in fact, there had been surprisingly little demand for anything of the sort. This indifference was probably due to the character of the population. In all the Spanish colonies there was a large Indian element, as well as an interesting collection of various types of half-breeds. Although they had been converted to the Catholic faith, they had never become civilized in the European sense of the word. Ignorant of public affairs, they thought little and cared less about matters of government. As for the whites, of Spanish extraction, they had never known any form of government except the absolute system in Spain, and they could think of more reasons for continuing the old forms than for attempting to organize new ones.

As for commercial regulations, the Spanish arrangements for monopoly made the English navigation acts look like the freest of free trade. The central figure of the commercial system was the House of Trade, in Spain, and this body had absolute control over all of the Spanish colonial commerce. Not only were all foreigners barred out of the trade, but even all Latin Americans, and all Spaniards, except a favored few. No inhabitant of Spanish America was permitted even to own a ship.

LATIN AMERICAN INDEPENDENCE

Unbearable as the whole policy seems to Anglo-Saxons, it had worked, perhaps more smoothly than the far more liberal English system. Once the Indians had been thoroughly conquered, a process virtually completed in the sixteenth century, Spain had little trouble. Perhaps the most active efforts to foment revolution were those carried on after 1783 by Miranda, a Latin American agitator, adventurer, or patriot, depending on the point of view. After serving under Washington in the American Revolution, he consecrated his life to the liberation of Latin America. His schemes carried him from the United States to England, France, and back to America again. But all of his work before 1818 resulted in nothing at all.

The real beginning of Latin American independence dates from 1807, when Napoleon took possession of the Spanish government. In order to force recalcitrant Portugal into his continental system, Napoleon planned to control Spain, and then extend his power over Portugal. To this end he deposed the Spanish king Charles IV, and his son Ferdinand, and then gave the kingdom to Joseph Bonaparte, his own brother. But the Spanish people refused to consent to this high-handed proceeding. The rule of the Bonapartes was repudiated everywhere outside the immediate range of the French troops, and the Spanish rebellion, starting in 1808, proved to be one of the important factors in the ultimate downfall of Napoleon.

In Latin America the various provinces first refused to recognize Napoleon's authority, and then set up governments of their own, professing allegiance to Ferdinand VII, the deposed prince. By 1810 all of Spanish America except a part of Peru was in open rebellion. In 1811 Venezuela declared herself independent of both Napoleon and Ferdinand VII, and set up a republican form of government. Miranda, the patron saint of Latin American freedom, became the first president. But by 1812 Miranda was overthrown, given up to the Spaniards, and shipped to Spain, to spend the last three years of his life in a prison in Cadiz.

In its pursuit of "legitimacy" the Congress of Vienna, in 1814, restored Spain to its Bourbon rulers, and Ferdinand VII became king. Temperamentally conservative and constitutionally stupid, the new king proceeded to reëstablish the former system of colonial

absolutism in its entirety, both in government and in trade. The undertaking proved to be a more difficult one than Ferdinand had imagined. These various states had had a taste of independence, with no commercial restrictions, and they objected to the restoration of the old monopoly.

In 1816 Buenos Aires declared itself independent, and its example was quickly followed all the way from Chile to Mexico. Although the last battle was not fought until 1824, by 1822, except in Porto Rico and Cuba, Spanish power was virtually a thing of the past. During the same period the Portuguese colony of Brazil became independent and joined its Spanish neighbors in experimenting with a republic.

This course of events manufactured new difficulties for the United States, and it raised a number of serious questions. Should the United States recognize these new republics, or not? What should be the guiding principles concerning the relations between the United States and Latin America? And more important still, what should be the attitude toward the Latin American policy of Europe? Specifically, if any European nation, or nations, endeavored to restore Spanish power, what should the United States do? Or, if any European nation should desire to aid the Latin Americans, should the United States coöperate or not? The future well-being of the country depended largely on the handling of these issues.

On the whole the United States sympathized with this movement toward independence; the Latin Americans were granted full belligerent rights, and Latin American vessels were welcomed in North American ports. Officially however the United States remained neutral, and the government hesitated for a time before granting full recognition to the new republics. The delay of President Monroe in the matter displeased the more energetic Americans, who found a leader and a spokesman in Henry Clay. For ten years he stood out as the great champion of the policy of recognition. In 1817, and again in 1818, he delivered speeches that became famous against American neutrality. In 1820 he succeeded in forcing through the House of Representatives a resolution in favor of recognition.

FLORIDA

Ordinarily it would not have required very much urging to compel the administration to act, but this particular problem was complicated by another, which both Monroe, the President, and John

Quincy Adams, the Secretary of State, were eager to settle. This was the Florida question.

Although there was no justification for doing so, Jefferson had always insisted that the United States had acquired West Florida along with Louisiana. No actual attempt was made to take possession until 1810, when President Madison ordered Governor Claiborne of the Orleans territory to occupy all territory as far east as the Perdido River, that is, up to, but not including the city of Pensacola. Part of the region was added to the new state of Louisiana, part to the territory of Mississippi. All this was done in spite of Spanish protests, and it might be added, with a very casual regard for the strict construction principle of Constitutional interpretation.

East Florida still remained in Spanish hands, and Madison determined to secure it for the United States. In a secret message of January, 1811, the President asked Congress for authority to take possession of as much of East Florida as might seem desirable. Congress was prepared to grant the President's request, and by a secret act, it authorized him to take possession, under either one of two conditions: if the inhabitants should consent to American occupation, or in case a foreign power should attempt to seize the territory. Madison determined to act at once, and sent down two commissioners to carry his order into effect. Although their instructions were somewhat vague, they were convinced that they had been sent down there to get results. When Madison learned that the inhabitants were ready for rebellion, but incompetent to carry one through, he suggested that the administration might surreptitiously place the necessary arms at their disposal. In 1812 the revolution took place, and the American commissioners took possession of Amelia Island. Then Madison, inconsistent and timid as usual, disavowed the act of his commissioners, and in 1813 the American troops were withdrawn. Under the circumstances, it is not strange that the Spanish government should have broken off diplomatic relations with the United States.

After the War of 1812 was over the problem of East Florida assumed a somewhat different aspect. Hitherto the only reason for American interference there had been a deep-seated desire on the part of the administration to annex it to the United States. From 1814 to 1819 the province was a whirlpool of disorder, and a constant menace to peace along the Georgia boundary. In the latter part

of the war the British forces had used it in violation of its neutrality as a base of operations against the United States, and after the war, it appeared that British officers were inciting Indians and fugitive negro slaves to continue a sort of guerilla warfare against the United States. The Spanish authorities were unable to suppress this nuisance, so American forces proceeded to do so. The United States had a right to do this, under the Treaty of San Lorenzo of 1795, by which Spain had bound herself to prevent the Florida Indians from making trouble for the States.

In December 1817, President Monroe ordered General Andrew Jackson to put an end to the Indian attacks. His orders were as vague as the instructions which Madison had given to his commissioners, and they allowed Jackson ample room for the exercise of his own discretion, both as to the manner and as to the extent of his operations. Jackson received his orders in Tennessee. Only too eager to carry out a favorite project of his, the capture of Pensacola, he wrote a letter to Monroe, with the following suggestions: "Let it be signified to me through any channel (say Mr. J. Rhea) that the possession of the Floridas would be desirable to the United States, and in sixty days it will be accomplished." Jackson always asserted that he received through Rhea the assurance which he asked for. After the matter became a subject of controversy, and not until then, Monroe insisted that he never read the "Rhea" letter until after Jackson was in Pensacola. In view of the fact that Monroe had given evidence of bad faith in an earlier incident involving the character of Alexander Hamilton, his word in this dispute is not as trustworthy as Jackson's.

Be that as it may, Jackson captured the various key points in northern Florida, finishing up with Pensacola in 1818. Incidentally, he executed two British subjects, Arbuthnot and Ambrister, for complicity in the Indian attacks upon American forces. The Spanish government, with which diplomatic relations had recently been renewed, demanded that the posts be surrendered, and that Jackson be punished. Monroe yielded on the first point, but he could not very well punish Jackson. Then there followed a vigorous exchange of views between the Spanish minister and John Quincy Adams. The outcome was the Treaty of 1819, by which Spain ceded the Floridas to the United States. In settling the Florida question, the two powers at the same time agreed upon a western boundary for Loui-

siana, which had not been done up to that time. The line was to run from the mouth of the Sabine River, following the western bank of that river to the 32d parallel, then due north to the Red River, along it to the 100th meridian west from London, then due north to the Arkansas River, along its southern bank to the source, then to the 42d parallel, and from there westward to the Pacific. By this treaty therefore, while the United States secured a clear title to all of Florida, it surrendered a claim of more than doubtful validity to Texas.

Spain delayed ratification until October, 1820, because by so doing she hoped to prevent the United States from recognizing the independence of the Latin American republics. This explains why Clay found it so hard to force the administration into a policy, of which almost the whole United States approved. Finally, in 1822, with the Florida treaty safely out of the way, Monroe informed Congress that the time for recognition had come, and he asked for an appropriation for sending ministers. In 1824 diplomatic representatives were sent to Colombia, the Argentine Republic, and Chile, and in 1826 to Mexico.

THE "HOLY ALLIANCE"

If there had been no other considerations, the decision to recognize the independence of the republics might have marked the end of American concern in the problem, but there still remained the attitude of Europe. In September, 1815, the powers of Russia, Prussia, and Austria signed a treaty creating the Holy Alliance. The aim of this combination was "to take for their sole guide the precepts of that holy religion, namely, the precepts of justice, Christian charity and peace." To make this ideal practical, they promised assistance to each other in carrying it out. About two months later, in November 1815, Great Britain, Russia, Prussia, and Austria signed another treaty, creating the Quadruple Alliance. No one but the Czar of Russia took the Holy Alliance seriously, but this second agreement was a distinctly serious affair. The aim of the powers was to guard against any more revolutionary disturbances in Europe. In order to achieve this aim, and to keep in touch with each other, they planned to hold conferences at fixed intervals. In the natural course of events, the more dramatic title was applied to the more important agreement, so for practical purposes this alliance to keep the peace became generally known as the Holy Alliance.

The first conference met at Aix-la-Chapelle in 1818. At that time France was restored to good standing in European affairs, and allied troops were withdrawn from French soil. In 1820 another conference was called, which met first at Troppau, later at Laibach. This was made necessary by the outbreak of revolutions in Spain, Portugal, Naples, and elsewhere, movements which gave rise to much uneasiness "in all those who are under the obligation of watching over the tranquillity of states." The product of the discussions was the Austrian expedition into Naples, designed to crush the revolution there.

The last of this series of conferences met in 1822 at Verona. As a body it was opposed to representative government, and according to report, the members agreed to use all their efforts to put an end to the system, wherever it existed in Europe. Then, more specifically, the allies entrusted to France the responsibility of restoring order and arbitrary power in Spain. In April 1823, a French army crossed the Pyrennes; by October the revolution was over, the leaders had been executed, and absolutism was restored.

Successful in restoring "tranquillity" in Spain, the allies next turned their attention to her rebellious colonies in Latin America, and for a time there appeared to be grave danger of European intervention in that quarter. The Spanish government appealed to the other powers for help, and suggested a conference at Paris, for the purpose of "adjusting the affairs of the revolted countries of America." This proposed conference never materialized, because of the opposition of Great Britain. In 1821 she had opposed the declaration of Troppau, in which the allies had proclaimed their purpose to intervene in Naples, and she refused to coöperate with the other powers in carrying out their project. In 1822 she had opposed the French invasion of Spain. When the scheme of allied intervention in the Spanish colonies was proposed, George Canning, the new Secretary for Foreign Affairs, told the Cabinet that Britain ought to prevent either Spain or France from sending a single regiment to America.

Because of the seriousness of the situation in the summer of 1823, Canning decided to approach the interested parties, and to lay before them a set of principles for guidance in handling the Spanish-American problem. The note in which these were outlined was sent to the governments of Austria, Russia, Prussia, Portugal, Spain, the Netherlands, and the United States. The position of the English govern-

ment, as defined by Canning, was that Spain could not possibly recover control of her colonies; that recognition of the new republics could be left to a more opportune time; that no obstacle should be placed in the way of amicable negotiations between Spain and the republics; that Great Britain did not aim at the possession of any of the territory there, but that she could not see any of it transferred to any other power. The note closed with the suggestion that the powers might join in publicly proclaiming these items as their policy.

While the Monroe administration was trying to decide what to do with reference to the European complications growing out of the Latin-American issue, the President and his Secretary of State were confronted by a somewhat similar difficulty in the Northwest. In 1821 the Czar of Russia issued an order warning all foreign vessels not to come within one hundred miles of any part of the Pacific coast of America, north of the fifty-first parallel. The Oregon territory, then under the joint control of Great Britain and the United States, extended up to the parallel of 54° 40′, therefore the Russian policy was equivalent to a high-handed seizure of territory which did not belong to it. John Quincy Adams had no intention of permitting the aggression. By way of reply to the Russian minister, Adams announced that the United States would contest the right of Russia to *any* territorial establishment in North America, and that "we should assume distinctly the principle that the American continents are no longer subjects for *any* new European colonial establishments." Later, he announced that, outside the European colonies already established, "the remainder of both the American continents must henceforth be left to the management of American hands."

During the whole of November, 1823, Monroe's Cabinet was occupied with a discussion of foreign policy. Richard Rush, the American minister to England, had kept Monroe informed of Canning's suggestions, and Monroe had written to his two predecessors, Jefferson and Madison, for advice. Monroe himself favored joint action with England, and Jefferson and Madison both agreed with him. John Quincy Adams, however, stubbornly opposed the President on this issue. "It would be more candid, as well as more dignified," he declared, "to avow our principles explicitly to Russia and France, than to come in as a cock boat in the wake of the British man of war." His purpose would be to disclaim any intention of propagating American ideas by force, or of interfering in Europe, and at the same time

to make it known that the United States expected the European powers to refrain from any attempt to spread their principles in America, or to conquer any part of American territory.

Adams knew that Great Britain would oppose European intervention in Latin America, and that British policy would be the same no matter what the United States did. Therefore, if it came to a question of force against Europe, the United States would have the help of British power, without the possible disadvantage of formal alliance. The Secretary of State consequently converted the President to his point of view, and so really formulated the foreign policy of the administration.

THE MONROE DOCTRINE

The Monroe Doctrine consists of two sections of Monroe's annual message to Congress of December 2, 1823. The first part, aimed at Russian aggression in the Northwest, declared "that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers." The second part made plain the purpose of the United States to refrain from concerning itself with European complications, and announced that the United States would consider any attempt of the European powers to extend their system to any part of America "as dangerous to our peace and safety." Any interference in Latin America would therefore be construed as an act of unfriendliness toward the United States.

This doctrine was not new. Again and again various prominent American leaders had expressed sentiments similar in part to those embodied in Monroe's message. The Monroe Doctrine therefore simply became a name for an old policy. The doctrine was not a part of international law, nor even a rule binding on the United States. No obligation was created by it, either to Europe or to Latin America. It was neither a pledge to anybody, nor an agreement with anybody. It was merely a statement regarding the attitude of the administration toward certain issues. It did not have even the force of law in this country. Any administration would be just as free to repudiate it as Monroe was to proclaim it.

The durability and popularity of the doctrine have been due, not to any sanctions inherent in it, but to the fact that it fitted in remarkably well with American theories and desires. Based upon existing

facts, harmonizing with long standing theories, it has lasted because the country likes it. After its publication, it was never invoked by name until the dispute with Venezuela in Cleveland's second administration, although the principle of it was set forth in the controversy with Napoleon III over Mexico. These various experiments with it will be discussed in due time.

Canning described the doctrine as "very extraordinary," and compared it with the order of the Russian Czar already referred to, neither of which, he declared, would England recognize. But as the danger of European interference in Latin America disappeared, the doctrine was generally forgotten, to be revived only when similar dangers again arose.

CHAPTER XXXI

POLITICS AND DEMOCRACY, 1820–1829

The Missouri Compromise and the Monroe Doctrine were virtually the only matters of outstanding importance in the Monroe administration. Practically everything else was bound up with party politics, and with the fortunes, good and bad, of those who looked forward hopefully to succeeding the President in 1825. By 1820, the Federalist party had disappeared; so completely was this the case that Monroe's electoral vote in 1820 for his second term, was two hundred thirty-one, out of a total of two hundred thirty-two. With only one party therefore the customary type of political activity disappeared; and the few years immediately after 1820 have sometimes been described as the "era of good feeling." This description may be correct, so far as the absence of an opposition party went, but it hardly applied to the Democratic organization, which was full of bitter factional disputes, carried on even within the President's own Cabinet. The leading members of this group were John Quincy Adams, the Secretary of State, who has already been described; John C. Calhoun of South Carolina, Secretary of War, up to 1820 a leading nationalist; and William H. Crawford of Georgia, Secretary of the Treasury. Crawford was greatly admired by Albert Gallatin, who found in him an expert in public finance very much to his liking. All three of these men were open and avowed candidates for the presidency in the coming election of 1824, and their official relations were not as pleasant as their chief would have desired.

Monroe himself was a solid, substantial individual, not at all brilliant, and, after he became President, not especially offensive to anybody. As Secretary of State under Madison, he had been generally accepted as the heir apparent. Although there was a good deal of opposition to his nomination, he finally got the honor, and with it the election. With the prevailing state of political affairs, he was sure of two terms, and the politicians had to reconcile themselves to a long wait. But in waiting they proposed to lose no time, and so the

campaign of 1824 really began immediately after Monroe's nomination in 1816.

THE NEW DEMOCRACY

During the interval there were various manifestations of a new spirit of democracy in the United States. Between 1816 and 1830 ten new state constitutions were adopted, nearly all of which dropped the property qualification for voting, thereby bringing in the western ideal of universal manhood suffrage. At the same time the majority of states abandoned the old plan of having presidential electors chosen by the state legislatures, and turned the responsibility of selecting them over to the voters. Then too, while these alterations were being made, the presidential nominating machinery was subjected to severe criticism. The selection of candidates for the highest office in the land had been left to the party caucus. This method was now opposed, on the ground that it violated the spirit of the Constitution. It was impossible to keep the executive separate from the legislature, the critics argued, if the majority in Congress made the president. Further objections came from those who said the scheme of caucus nomination was essentially undemocratic, in the sense that it deprived the people of any voice in a most important matter. In 1816 the caucus almost made a mistake. With Monroe all slated for the nomination, Crawford nearly got it for himself, losing by the narrow margin of sixty-five to fifty-four. The feeling aroused over the nominating caucus was destined to have an important bearing in 1824.

THE ELECTION OF 1824

The campaign of 1824 has been characterized by Woodrow Wilson as "the scrub race for the presidency," probably not because of the caliber of the candidates, but because of their number and their too-obvious scrambling for the place. In addition to the three members of Monroe's Cabinet, there were two other aspirants, both strong men, both decidedly "available," and both from the West: Henry Clay of Kentucky, the Speaker of the House, and Andrew Jackson of Tennessee, the hero of New Orleans and the enterprise in Florida. All these but the last had had extensive experience in public affairs. Jackson knew nothing of statesmanship, but he was a genuine soldier and a born leader of men. Not many campaigns in American history can display so promising a group of candidates.

The contest was not entirely one of personalties, although at times

it had that appearance. By cleverly combining Jackson's military record with his advocacy of political reform, the managers of the general were able to make a strong appeal. He opposed the caucus, and in doing so won strength for himself. Clay was depending upon his advocacy of the American system, internal improvements, and a protective tariff, and Calhoun capitalized his own record in the same field. John Quincy Adams had the distinction, which proved both a liability and an asset, of being the only candidate from a nonslave-holding state, and the only one distinctly opposed to slavery. In any previous campaign that question would hardly have been raised, but the Missouri Compromise had brought the matter up in none too pleasant fashion. At this point Jackson had an advantage, because he had been in Florida when the controversy was going on, and so had not been compelled to commit himself. Crawford prided himself upon being an original Jeffersonian Republican, in other words, a believer in democracy and strict construction.

Down to 1822, all the candidates were scheming secretly or working openly to secure the caucus nomination. Before the election year came around, the caucus had become a target for the reformers, so much so that no candidate could safely trust to it. In spite of all the criticism, Crawford decided to seize for himself any virtue that the time-honored method might have left. It may be that he had not kept fully in touch with the progress of reform, so that he was not aware of its strength. He had been overcome by a stroke of paralysis in 1823, which left him incapacitated for a time. Or it may be that he doubted the sincerity of the reformers, and felt that the caucus would actually select the president, as it had done before. In the danger of political contamination from contact with instruments now characterized as unclean the majority of Congressmen discreetly ignored the call. Consequently only sixty-six of the total of two hundred sixteen Democrats voted for Crawford; this maneuver injured him far more than it helped him. Before the actual election took place, Calhoun became a candidate for the vice-presidency, thereby somewhat simplifying the race.

As the campaign progressed, the policy of three of the leaders became plain. Adams, as Secretary of State, offered appointments as foreign ministers to his opponents. Naturally the recipients of these proposals saw in them merely a plan to give Adams a clear field, so they declined the honor. Crawford's hope lay in the House, and so

did Clay's. But Clay had an additional asset in his demand for recognition of the Latin-American republics. By persistently pushing it he had embarrassed the administration and made capital for himself.

There is no way of finding out how the people throughout the country really felt about the various candidates, and no way even of discovering accurately just what the popular vote was. In six states, containing a quarter of the total population in the country, the electors were chosen by the legislatures, so there was no popular vote. In several other states, with a large voting population, only a minority took the trouble to go to the polls. Again, in several states, not all four candidates were before the voters; in some of these there were only three tickets, in some only two. Such being the case, any attempt to determine the popular vote is a waste of time. So far as any tabulation is possible, Jackson came first, with Adams second.

In the electoral vote, Jackson received ninety-nine, Adams eighty-four, Crawford forty-one, and Clay thirty-seven. This outcome therefore threw the election into the House of Representatives. Clay was out of the running, because, in making its choice, the House was limited to the three names highest on the list. But, as the Speaker, and the most popular man in Congress, Clay controlled enough votes to determine the outcome. According to fairly good evidence, he had already determined in case this situation should develop, to work for Adams, because the New Englander's views on most public questions were nearly in harmony with his own. In this way John Quincy Adams became President.

Just as soon as Clay's decision was made public, all of Adams's opponents, in disagreement on nearly everything else, united in an imposing display of wrath. Clay's support, they proclaimed, was the result of a corrupt bargain, by which Adams would get the presidency, while Clay would become Secretary of State, and in accordance with time-honored custom, heir apparent. This charge first appeared in concrete form in an unsigned newspaper communication. Clay promptly replied, denouncing the writer as a liar, and suggesting a duel. Whereupon a thick-headed, dull-witted Congressman from Pennsylvania, George Kremer by name, announced that he was the author. There was no object in fighting a duel with a man like that, particularly since he was obviously acting as the tool of the Jackson group. Clay then demanded a Congressional investigation. Kremer

refused to appear before the committee, thereby proving the fitness of Clay's epithet. Evidence was produced showing that the Jackson and Crawford forces had sought Clay's support with the most shameless offers of political reward. Although there has never been a shred of proof of the charge, and although ample evidence was brought in to refute it, the thing stuck, to plague Clay for the rest of his life. The Jackson managers used it to the best advantage, always to make trouble for Clay.

The charge placed the new President in a peculiar dilemma. If he did not give Clay the appointment, all the opposition would say that the exposure of his scheme frightened him out of it; if he made him Secretary of State, they would advertise the act as proof of their charge. Adams ignored the difficulty, and gave Clay the place.

JOHN QUINCY ADAMS AS PRESIDENT

Entirely apart from this "Bargain and Corruption" myth, Adams entered his new office under peculiarly unfavorable auspices. The Democratic party was in process of splitting into fragments, many of which were keenly opposed to him. Even though they could not agree among themselves they could at least prevent him from doing anything with the presidency. Under the circumstances, he might well have been pardoned had he set about the task of building up a following as other presidents had done and were destined to do, by means of the patronage. This would have been possible, because in 1820, under Crawford's direction, Congress had passed a measure limiting the term of civil service appointees to four years. Adams would not have had to wait for death or resignation to make places for him to fill, for vacancies now came automatically. When they came, Adams always reappointed the incumbents, unless there was evidence of scandalous unfitness.

Although his conscience would not let him resort to the approved method of manufacturing a party, his opponents had no such scruples. In his Puritanical fashion Adams decided to experiment with a nonpartisan administration. This explains some of his Cabinet appointments. He kept McLean, of Ohio, as postmaster-general, and that gentleman proceeded to use his power over the patronage in the interests of Jackson. Some men might have overcome this kind of handicap by personal popularity, but not John Quincy Adams. He was too cold and reserved, too obviously righteous to appeal to

the crowd. So his single term was characterized by a continuous struggle between him and the opposition.

Adams's program was a broad and liberal one, calling for internal improvements, a national university, the promotion of agriculture, commerce, and manufactures, the encouragement of the arts, the advancement of literature, and the progress of the sciences. This proposal to extend still further the authority and activities of the federal government was received with distinct disapproval in the South. If the administration could go that far, how soon would it take the next step, and impose limits on slavery?

The first clear proof that the opposition to the President was becoming united appeared in the winter of 1825–1826, in connection with his proposal to send delegates to the Panama Congress—a meeting of representatives from the Latin-American states, called to work out a sort of Pan-American league of nations, as a defense against possible European aggression. Adams's request for Congressional consent to send two delegates from the United States gave both the Senate and the House an opportunity to air their objections, and they did so at length. Finally, in March, they voted to comply with the President's request, but their long delay wrecked his plan. One of the Americans died on the way to Panama, and the Congress adjourned before the other arrived. Perhaps the true nature of the episode is best revealed in a remark attributed to Martin Van Buren: "Yes, they have beaten us by a few votes, after a hard battle; but if they had only taken the other side and refused the mission, we should have had them." Almost successful in defeating the administration on this point, the opposition looked forward confidently to the possibility of a new party, under Jackson's leadership.

During Adams's term two issues came into prominence, both of which had an important bearing on the "particularistic reaction" already referred to (see Chapter XXIX) and a profound effect upon the administration of his successor: the tariff and the Georgia Indian problem.

THE TARIFF

The tariff of 1824, a sort of compromise measure, had not been especially satisfactory to anybody and had been especially displeasing to the woolen interests. They had become steadily more important between 1820 and 1830 and the value of woolen products increased from two and a half million dollars in 1820 to over fifteen and a half

million in 1831. New England manufacturers were beginning to demand more protection for this industry, while the sheep raisers were also pointing out their need of Congressional help. In 1827 a tariff bill was introduced, providing for the increased protection; it passed the House, but in the Senate it was defeated by the vote of the Vice-President, Calhoun. Defeated on this particular bill, the protectionists almost immediately went to work on another.

In the new Congress, the House committee introduced a bill so framed as to satisfy the producers of raw material, and to refuse the protection desired by New England. This measure was drawn up, not as an honest attempt to deal with an economic problem, but as a crafty scheme in the game of shady politics. The southern representatives were opposed to the principle of protection, so they aimed to produce a measure so distasteful to New England that the members from that section would join with the South to defeat it. In that way the Jackson men would satisfy the protectionists in the middle states, by framing parts of the bill to meet their needs, and thus acquire the reputation of being friends to protection. To the horror of the promoters of this choice bit of chicanery, enough New Englanders voted for the bill to put it through. This "tariff of abominations," satisfactory to only a small minority of the protectionists, drawn up only to be defeated, was placed on the statute books. John Randolph told the truth when he said that "the bill referred to manufactures of no sort or kind, but the manufacture of a President of the United States."

JOHN C. CALHOUN

No part of the country hailed this new tariff with so many imprecations as the land of its chief engineers, the South. Southern leaders complained about the new burdens it would impose upon the producers of raw materials, and talked calmly about secession. When Calhoun went home from Washington, he found the people in his state in an uproar over the tariff. He set himself the task of working out a plan of opposition, which would satisfy them, and enable him to retain his political following. He succeeded, although he did so at the cost of sacrificing all his original nationalistic philosophy. The explanation of his own change, and the alteration in his state, is to be found in the cotton situation. "In 1816 the average price of middling uplands in New York was nearly thirty cents, and South Carolina's

leaders favored the tariff; in 1820 it was seventeen cents, and the South saw in the protective system a grievance; in 1824 it was fourteen and three-quarters cents, and the South Carolinians denounced the tariff as unconstitutional. When the woolens bill was agitated in 1827, cotton had fallen to but little more than nine cents, and the radicals of the section threatened civil war."

In the summer of 1828 Calhoun prepared a document, destined to see light as the report of a legislative committee, because it seemed hardly expedient for the Vice-President to proclaim the philosophy which he was considering. This was the South Carolina "Exposition," which for the first time put the doctrine of nullification into concrete, systematic form. Arguing first that the tariff was unconstitutional, he went on to develop the theory that it operated as a heavy burden on the South, compelling that section to pay for the advantages received by the industrial North. The plantation owners had to buy practically all of their manufactured supplies, and Calhoun argued that the tariff compelled them to purchase in an unnecessarily high market. As a remedy for all this expensive inequality in the operation of the tariff, Calhoun suggested nullification, the logical conclusion of the extreme states' rights doctrine. In the "Exposition" he rejected the theory that sovereignty was divided between the states and the federal system. The powers of sovereignty were divided, he agreed, but sovereignty resided solely with the people of the states. He characterized the Constitution as a compact among sovereign states. Each state, he reasoned, was entitled to determine for itself whether or not the federal government had exceeded its Constitutional authority, and to prevent the law in question from operating within its limits, until three-fourths of the states had declared for or against it. By this means Calhoun hoped to provide a peaceful way to protect the states from unwarranted federal measures. Under his handling, nullification developed into something more than a protest; it became a plan of action. Calhoun proposed it as an instrument to preserve the union, but his successors used it to justify secession. The whole tariff issue, with its related problem of nullification, became one of the legacies left to the next administration.

THE GEORGIA INDIANS

The other heritage was the Georgia Indian problem. In 1802 Georgia had ceded her unoccupied lands to the federal government, in return for one and a quarter million dollars, plus the promise of the federal authorities to extinguish the Indian title throughout the state. As late as 1821, some of the best lands in the state were still in the possession of the Indians. In response to the repeated protests from Georgia, in 1825 the government made with the Indians the Treaty of Indian Springs, by which the Creeks ceded all their land in the state.

Soon after the ratification of this treaty, the Creek chief who signed it was murdered, and the entire tribe repudiated the whole agreement. Governor Troup of Georgia prepared to survey the lands, and President Adams warned him to wait until new arrangements could be made. Troup refused to desist, and threatened civil war in case the United States tried to stop him by force.

In 1826, Adams secured a new treaty with the Creeks, which ceded all but a small part of their lands, giving them until January 1, 1827, to withdraw. Then Georgia denied the right of the federal government to reopen the question, which from the point of view of the state had been finally settled by the Treaty of Indian Springs. Declaring that Georgia was sovereign on her own territory, Troup had the survey begun. Adams threatened the belligerent governor with the full weight of federal displeasure, and then laid the whole matter before Congress. Congress, however, refused to authorize the use of force.

In 1827 the Cherokees in the same state declared themselves independent of all outside authority, state or federal. The Georgia legislature passed a law extending its jurisdiction over the whole Cherokee region, and the tribe appealed to Adams. His term expired before there was time to act, so Jackson inherited another serious problem.

THE ELECTION OF 1828

The campaign of 1828 began in 1825, immediately after the House had chosen John Quincy Adams. In the course of it there was comparatively little that was significant, except the careful work of the Jackson managers. They kept Jackson continually before the public, by means of receptions, public dinners, and functions all arranged

with a view to the greatest publicity. Jackson newspapers advertised their candidate, not infrequently by resorting to scurrilous misrepresentation and actual falsehoods about Adams. Local committees were organized, the leaders of which looked after the business of organizing the voters.

There were no more genuine issues involved in the campaign of 1828 than in the two preceding ones, a fact which the volume of noise served to conceal. Jackson profited from the personal unpopularity of Adams. Also, as the victim of the machine in 1824, and as the "candidate of the people" in 1828, he was able to capitalize the widespread, but rather vague demand for reform.

More specifically, Jackson carried the Northwest, partly because of the desire of that section to turn out the eastern leaders, who had been monopolizing the federal government, and partly because of his known attitude toward the Indians. The West wanted the Indians removed, and Jackson was the man to do it. In the Southwest, Jackson could stand on his own record against the Indians at Horseshoe Bend, against the British at New Orleans, and against the outlaws in Florida. In the older West, Kentucky, Missouri, and Tennessee, formerly Clay's bailiwick, Jackson swept the field, because Clay had supported the Bank and John Quincy Adams. Every electoral vote from all three sections of the West therefore went to Jackson.

In the South, the cotton sections favored Jackson, because they felt that he was opposed to the tariff. Then too his ticket was strengthened there because of the popularity of the vice-presidential candidate, Calhoun. The three other southern states, Virginia, North Carolina, and Maryland, the center of old fashioned Jeffersonian democracy, favored Jackson because he was supposed to favor states' rights. There was perhaps less enthusiasm here than in the "Cotton South" or in the West, and Maryland gave six electoral votes to Adams.

In the middle states Jackson secured all the electoral votes of Pennsylvania, and twenty out of the thirty-six of New York. This section was the stronghold of protectionism, and Jackson was popular because he was believed to favor the tariff. His managers had been most astute in leading each region to find in the "Old Hero" the very things they wanted. The fact that he drew votes from ardent protectionists and from violent opponents of the tariff did not greatly

bother them. The main thing was to win the election. In New England, Jackson got one electoral vote, from the state of Maine. The total electoral vote gave Jackson one hundred seventy-eight, to eighty-three for Adams.

It is probable that in this campaign very few men took the trouble to consider policies and to study issues. They wanted Jackson, and that was enough. Feelings and emotions counted for more than intellect, with the voters—as with the new President during both of his terms.

CHAPTER XXXII

THE JACKSONIAN ERA

In 1828 the election of Andrew Jackson was hailed as the triumph of an honest man over a crowd of corrupt politicians, and as a vindication of true democracy. Whether this interpretation was correct or not makes little difference; the men who had voted for the "Old Hero" either believed it, or professed to believe it. Some of the glamour which surrounded the victory clung to Jackson's administration, and consequently his two terms stand out as a peculiar epoch in American history. Full of contradiction from beginning to end, the Jacksonian era has the distinction of being one of the most difficult to judge fairly and to appraise accurately.

ANDREW JACKSON

The President himself was genuinely inconsistent, in dealing with issues of the utmost concern, so for that reason it is hard to describe him definitely and precisely. During his two terms the old Jeffersonian party eventually broke up, and out of the remains two new parties were formed. The process both of disintegration and of rebuilding necessarily left the issues beclouded. This inevitable confusion was made worse by the unique nature of the new political alignment. In the Jackson camp were voters widely separated geographically, and even farther apart in their convictions. Their only common ground was loyalty to Jackson. The opposition was perhaps even more chaotic in its structure and less unified in principle. Moreover, as old political connections were broken, personal feeling ran high and individual controversies became bitter. Because of the prominence of some of the personages involved, these contests assumed national importance.

As though all this were not enough, the period found new forces at work within the federal government, forces which were clearly the product of western expansion and frontier experiences. Nothing so utterly disturbs the political equilibrium as something new, so the politicians were as badly confused at the time as historians have been

since. While these new problems were demanding solution, certain old ones, dating back to the colonial period, and still unsettled, were trying the patience and testing the ability of administration and opposition. The key to the period is controversy, between the President and his foes, groups in Washington society, political parties, geographical sections, the federal government and the states, old forces and new.

Jackson himself, one of the better products of the frontier, was a fitting personification of the times. He was born in 1767 in North Carolina, and moved to Tennessee in his young manhood. In 1788 he was admitted to the bar, and later on he became a United States district attorney, and subsequently a judge. But he never knew very much law, and a judicial habit of mind was as foreign to him as it was to most of the pioneers. During the War of 1812 he had defeated the Indians at Horseshoe Bend, and the British at New Orleans. These events, as well as his experience in Florida, have been referred to before. By 1829 he had developed into a man of courtly bearing and for the most part of an agreeable temper, although he still displayed, on occasion, traces of that ungovernable rage which had made people fear him in his youth. He had little, if any, formal education, but he had acquired a good deal of self-discipline. Even if his state papers, in their original form, gave evidence of weakness in matters of spelling and grammatical construction, they gave emphatic proof of the power of clear and forcible expression. In his military career he had shown a tendency to decide quickly, and to act hastily; these traits stayed with him during his presidency. As a result, his messages, while vigorous in tone, were not always sound and logical in reasoning.

In many respects Jackson resembled one of his more recent successors in the White House, Theodore Roosevelt. Like him, Jackson was a genius in selecting those issues on which he could make a popular appeal, and in avoiding those which, in highly figurative language, "had a sting in the tail." Both men were made for publicity, and both had the faculty of turning almost everything they did into first rate political capital. Jackson, as well as Roosevelt, had the most exalted opinions concerning his own policies, and the most hearty contempt for those of his rivals. They were always convinced of their own rectitude and of the honesty of their own intentions, and they both attributed the worst of motives to all who opposed them.

Both saw, and saw very clearly, only one side of an issue at any one time. Occasionally they saw the other side, but if they did, all recollection of their previous attitude was completely obliterated from their minds. This tendency gave rise to charges of inconsistency, which were leveled at both these leaders. They also had approximately the same feeling about their own authority as president. Each was inclined to assume that he alone was competent to interpret the Constitution in the light of popular wants and needs. If the executive conclusions differed from others, those of the Supreme Court, for instance, so much the worse for the others. The duly-elected representative of the people could do no wrong.

In selecting his Cabinet, the new President had two aims: to surround himself with men who would not oppose him, and to bar out all adherents of Henry Clay. For Secretary of State, he picked Martin Van Buren of New York, the Democratic leader in that state, in all respects the ablest man in the group. The others, Ingham of the Treasury, Branch of the Navy, Berrien, the Attorney-general, and Barry, the Postmaster-general, were not especially distinctive. Of John H. Eaton, the Secretary of War, more will be said later. If the Cabinet was weak, it had one advantage: it had no connection with the preceeding administration.

Evidently Jackson himself had little confidence in his own Cabinet, for he soon discontinued the custom of holding Cabinet meetings. Instead of relying upon the heads of departments for advice, as his predecessors had done, he fell into the habit of turning to a small group of political friends, the so-called "Kitchen Cabinet." The leading members of this inner circle were William B. Lewis, Jackson's friend and neighbor from Tennessee, Amos Kendell, Duff Green, and Isaac Hill. These last three were all "Jackson editors," newspaper men who had promoted his candidacy in 1828. In addition Jackson relied upon his nephew, Andrew J. Donelson. These men were all able politicians, and they developed and organized the support which made Jackson a great popular hero.

The opposition found much to criticize in this "Kitchen Cabinet," but the complaints were due more to their feeling of hopelessness than to any real principle. There was nothing sacred, nothing constitutional in the Cabinet. From the beginning it had been simply a customary body, consulted by the president because he desired to do so, not because he was obliged to work with them. Jackson merely

exercised his right of selecting as his advisers the men whom he liked and trusted. Their skill in playing upon him and in steering him their way was not so apparent to him as it was to them, and to historians.

Jackson's inaugural outlined the policies in which he was interested, and the principles by which he expected to be guided. These were: due regard for the rights of the states, economy, the promotion of agriculture, commerce, manufactures, and internal improvements, a just and liberal treatment of the Indians, and reform in the civil service. As a whole the address was somewhat ambiguous and uncertain, necessarily so because of Jackson's position. He had put himself on record as approving protection and internal improvements, but he had become the leader of a party destined to oppose both. Precision in politics is not always wise.

THE SPOILS SYSTEM

When Jackson arrived in Washington for his inauguration, he found there a small army of friends and admirers to help him celebrate the victory of the people. Many had traveled five hundred miles to be present, not to lend dignity to the proceedings, because the frontier was somewhat impatient of dignity, but to see the "Old Hero." Also, there was much talk about "reform," about the dismissal of all the advocates of corruption, the appointees of preceding presidents. All this meant jobs, and it behooved the hopeful to be on the ground. On inauguration day they were there, an immense crowd, ranging all the way from the eastern aristocracy to the crudest of the pioneers. It was this last element which scandalized the more proper guests by upsetting the pails of punch, breaking glasses, and standing with muddy boots on the satin-covered chairs in the White House, in an eager effort to see the President. In spirit at least the circumstances attendant upon Jackson's rise to the presidency were different from anything which had gone before.

Jackson's reference to reform in the civil service spread terror among the office-holders. Many of them, especially in the capital, had acquired a sort of prescriptive right to their places. Some had been appointed by President Washington, so far back that they had lost all capacity for taking up any other kind of work. On March 17, the administration began to "clean house." Clerks grown old in the service were removed, without warning, and without any reason

assigned. In selecting the new incumbents, only one test was considered: loyalty to Jackson. Ability, training, fitness, all went into the discard to make way for political favoritism.

Although the new policy brought panic into the minds of the bureaucracy, it was not a clean sweep. The number of removals would have seemed comparatively small to Lincoln, Grant, or Garfield later on. Newspapers of the time greatly exaggerated figures, and it is easy to be misled by the various estimates. Taking all the offices in the civil service together, probably not more than a third of the total were directly affected. Even so, the number of dismissals, along with the constant threat of more to follow, kept the appointees in a state of most uncomfortable anxiety.

After 1830 the excitement over this question practically disappeared, but by that time certain new precedents had been established. In some of the states, notably New York and Pennsylvania, it had long been customary to use the state offices as rewards for political activity. Politics had become a profession there, demanding the full time of the leaders. But not even a politician could live without income, therefore the party in power distributed the jobs to the workers, with a more or less definite understanding that the responsibilities of the office might be left to subordinates, while the holder of it devoted his time to electioneering or party activity.

Under Jackson this system was nationalized. As president, he was the leader, not at first of a genuine party, but of a heterogeneous group of followers, all fired by enthusiasm for him, but all very loosely strung together. It became the duty of the "Kitchen Cabinet" to whip all these admirers into a regular party organization, and to this end the patronage, or control of the positions, could be used to the best advantage. Every postmaster and customs house collector might be made a local agent of the new machine, devoting himself to building up the strength of his party. And, because these lieutenants made their living by grace of the organization, it became their duty to contribute a portion, perhaps five per cent of their salaries, to the party campaign chest. These were the main outlines of the spoils system, the prostitution of the offices to the ends of party politics.

Because of the notoriety of the Jacksonian period, it might naturally be expected to reveal a number of great, lasting achievements, all of vital importance to the whole country. That was not the case. The nationalization of the spoils system was important enough,

beyond question, and there is no doubt that it simplified the tasks of the politicians. There is not, however, much to be said of its soundness as a working principle of political science.

With reference to internal improvements, in which Jackson as a western man might have been interested, he proved to be an obstacle. That subject had been a favorite one with Clay, and any work done in connection with it would have redounded to his advantage. But by 1830, when the first concrete measure, the Maysville Road Bill, came up for his consideration, the President had already broken with Clay. Occasionally Jackson's states' rights theories came to the surface of his mind, and influenced his action. In this particular matter he found his own states' rights opposition to internal improvements strengthened and intensified by his burning hatred of Clay. He therefore vetoed the measure, and later on defeated other road and canal projects in the same way. Fortunately Jackson had gauged public opinion on the subject with surprising accuracy, and the veto, negative action though it was, brought him strength. One of the few positive acts in the early part of his term added to his prestige. This happened to be in the field of foreign relations.

From the time of the Treaty of Paris of 1783, the United States had found itself excluded from the old profitable commerce with the British West Indies. Every administration, from that of Washington on, had tried to secure concessions there, but every attempt had failed. Because of the determination of the United States to retaliate for the closing of this trade, after 1827 neither British nor American vessels could carry anything from the United States directly to the West Indies. In October, 1830, after the conclusion of negotiations, Jackson was able to announce that the trade had been reopened. As a result, the value of imports from the West Indies increased from $101,843 in 1830 to $873,845 in 1831, and of exports from $140 to $1,439,593. This in itself entitled the administration to no small credit, reviving as it did a part of the trade which had been very profitable in colonial times.

Perhaps the most significant development in Jackson's first term was the great controversy over the respective powers of the central government and the states. This was an old issue, antedating the Revolution itself. During the colonial period one of the most dangerous factors was the inability to agree on the proper demarcation of colonial from Parliamentary authority. After the colonies became

independent a similar question arose again and again, in the Kentucky and Virginia Resolutions, and in the activities of the disgruntled New England Federalists. Jealousy of any power superior to the states had been a cardinal American principle, but the country had never come to any real agreement on the subject.

JACKSON AND GEORGIA

Jackson inherited one problem in which the question was involved, in the dispute between the Indians and the state of Georgia. In dealing with the Creek lands, Governor Troup had defied the whole power of the United States, and the government of John Quincy Adams was far too weak to call him or his state to account. In the meantime the Cherokees had carried their troubles to the federal Supreme Court. In the case of the Cherokee Nation *vs.* The State of Georgia, Marshall had decided that the tribe was not a foreign nation, and that it could not sue as such in any federal court. In an *obiter dictum* he described the Cherokees as a "domestic dependent nation," and declared that the courts, and the states, were bound to uphold acts of the federal government concerning the Cherokees. The court did nothing to uphold the claim of Georgia to the Cherokee lands, and the only logical course for the government to follow was to protect the Indians. But it refused to do so.

In 1830, and again in 1832 the state openly defied the authority of the federal Supreme Court. Jackson sympathized with the state, rather than with the Indians, and so did practically all of his admirers in the South and West. Anything that opened up the lands to white settlement looked good to them, regardless of any unpleasant legal complications. "John Marshall has made his decision," the President is reported to have said, "now let him enforce it!" Whether he said it or not, the remark describes his policy. In spite of the principle involved, the chief executive allowed Georgia to have her way, with no effort to change her course and no attempt to impose any punishment.

WEBSTER *vs.* HAYNE

In 1830 this same issue, in different form, came up for discussion in the United States Senate, in the great Webster-Hayne debate. The arguments on the two sides became for years to come the standard authorities, one for states' rights, the other for nationalism. As so often happens, the discussion began on a different, and apparently

unrelated subject. Late in December, 1829, Senator Samuel A. Foote of Connecticut introduced a resolution calling upon the committee on public lands to consider the expediency of limiting sales of lands to those already on the market. Benton of Missouri promptly objected, on the ground that the resolution was really an attack upon the West, designed to check the further growth of the new section. In the discussion which followed the Southern senators came to the assistance of the West, in opposing the restrictionists from the East. Finally Hayne of South Carolina introduced his favorite doctrine of states' rights, and the subject-matter of the debate shifted from the public lands and the West to the proper status of the federal government. At this point Daniel Webster entered the contest, in emphatic opposition to Hayne.

Hayne raised the whole question of nationalism by pointing out in general the dangers of consolidation, and in particular the unfairness of the tariff, basing his arguments on Calhoun's "South Carolina Exposition." This theory of states' rights and nullification, he insisted, was the traditional American doctrine, in earlier years accepted almost everywhere throughout the union.

Webster's answer, known as the "Reply to Hayne," is generally considered the ablest exposition of federal supremacy ever produced in the country. Taking up Hayne's theory that the states possessed the ultimate authority to pass judgment upon acts of the federal Congress, and to decide whether or not they were constitutional, Webster replied with emphatic denial. Only by resort to revolution, he said, could a state get around federal law. Between obedience and open rebellion there could be no middle ground. Then he proceeded to argue that Hayne's conclusions were based upon a complete misapprehension of the nature of the federal system. According to Hayne, the federal government was merely the agent of the states, created by them, subordinate to their wishes. Webster insisted that the federal government was the people's government. The state legislatures, he said, were not sovereign over the people, because the people had chosen to place that sovereignty elsewhere, namely in the federal power. The Constitution therefore restricted the rights of the states, and no state could of its own accord rightfully throw off those restrictions. If differences of opinion arose over federal acts, the Supreme Court was the proper tribunal to settle them. If the people disapproved of anything in the Constitution, they might

amend it, but until they did so, it, and the Acts of Congress passed in accordance with authority delegated by it, remained the supreme law of the land.

Was it possible that Webster had forgotten the occasion, just a little more than sixteen years before, when he had devoted his extraordinary powers to the task of opposing the conscription law for the War of 1812, and when he had openly threatened, if the proposed measure passed, to urge upon his constituents a resort to nullification? In 1814 Webster was standing upon the very same ground occupied by Hayne in 1830, and using the very same theories to support his position. Unfortunately, Hayne did not know of the existence of this speech. If he had, he could have scored a technical victory over Webster merely by reading it without comment. The history of the United States shows that Webster's argument in 1830 had a comparatively slight historical foundation; and that historically he had been right in 1814. His theory that the Constitution of the United States was the work of "the people" was largely the product of his imagination, fortified of course by the forceful reasoning of John Marshall. In the light of the record, Hayne was right, and Webster wrong.

Although Webster's reply was at variance with the facts of the past, it was in harmony with facts as they were, and therein lay its strength. Because of the growth of the West, the industrial development of the East, and the decisions of the Supreme Court, there had come into existence a new attitude toward the federal government. It had been weak in the beginning, and the states strong, but the very fact of its existence made necessary a shifting of the balance. If it was to function as a government, its measures must prevail, in spite of local opposition. For that very reason its authority continued to grow, until it was bound to overshadow the states. By 1830, the point had been reached where shrewd observers were clearly aware of the tendency, and they altered their convictions, if need be, to make them fit the new facts. In the narrow sense of the word, Webster was inconsistent, but, so were the objective facts with which he had to deal. He was growing up with the times, and, whether the growth was good or bad, sound or unsound, it had created a situation which had to be faced. It is perhaps a tribute to Webster's sanity, if not to his greatness, that he could see facts as they were, and cut his philosophy to fit them.

While Webster was putting himself in harmony with the larger set of facts, the outcome of the growth of the nation, Hayne and Calhoun were blinded by local conditions in their own section. In trying to remedy matters at home they attempted to stop the course of development which had been in progress for a number of years, and by so doing they revealed their narrow outlook. It may be heroic to stand in the way of the inevitable, but it is much wiser to get into motion along with it.

Although the Webster-Hayne debate did not settle the dispute over the question of states' rights, it foreshadowed the settlement destined to come. When the crisis actually arose, the national government broke loose from all constitutional restraints, and protected itself against the attempt to dismember it. Webster foresaw the outcome, and showed how the contest would end. The final great attempt to put the doctrine of states' rights into practice in 1860 and 1861 brought disaster to its advocates.

NULLIFICATION

Shortly after this philosophical discussion of nationalism *versus* states' rights, the country was furnished with a practical demonstration of the working of the two theories, in which the soundness of Webster's stand was made plain. In South Carolina where the tariff had long been a source of uneasiness and ill-feeling, the generally objectionable measure of 1828 had aroused the state almost to the pitch of open opposition. In 1832 a new measure was passed, a decided improvement over its predecessor, but nevertheless a grievance to South Carolina because it embodied the protective principle. Convinced that all hope of relief from Congress had disappeared, the state determined to put Calhoun's theory of nullification or "interposition" into practice. That became the issue in the state election of 1832, and the nullifiers won. The state legislature assembled in October, and both houses passed a bill providing for a special state convention. On November 19, this body met at Columbia, with a heavy majority in favor of nullification. On the 24th it adopted the Ordinance "to nullify certain acts of the Congress of the United States, purporting to be laws, laying duties and imposts on the importation of foreign commodities," This document declared the acts of 1828 and 1832 null and void, and without binding force within the state. No case arising under the tariff was to be appealed to

federal courts, and all state officers were required to take an oath to uphold the state. If the federal government should attempt to use force, South Carolina threatened to secede.

Jackson in the meantime kept in close touch with affairs in South Carolina. On November 7, 1832, he had the garrison at Fort Moultrie increased and on the 18th he sent General Scott to the state. On December 10, strengthened by the assurance of his overwhelming majority for a second term, Jackson issued a proclamation to the people of South Carolina, declaring that the assumed right of a single state to annul an act of Congress was "incompatible with the existence of the Union," and in all respects inconsistent with the spirit of the Constitution. If force should become necessary, he wrote to a friend, he was prepared to send forty thousand troops into South Carolina.

The dispute was not permitted to pass beyond the danger point. While Congress was at work on a so-called "force bill," giving the President the necessary authority to ply the recalcitrant state with the kind of argument most generally understood, Clay introduced a compromise tariff bill. This provided that when the duties exceeded twenty per cent, the excess should be gradually reduced, one tenth in 1823, another tenth two years later, and one tenth every second year until 1841, with other reductions in 1842. With the help of Calhoun, now thoroughly disturbed at the turn of affairs, the bill was passed. On the same day, March 1, the force bill became law. In view of the prospect of tariff reform, the South Carolina radicals, left with no support from the other states, first suspended their ordinance of nullification, and then repealed it entirely.

South Carolina did not "nullify" an act of Congress, but her policy forced through a reduction in the rates. The federal government did not use force, because South Carolina's surrender made that action unnecessary. Because of this mode of settlement, neither side won a clean-cut victory. If there was an advantage on either side, perhaps the decision would go, on points, to the federal power, because it came out of the contest with increased prestige.

Jackson's inconsistency in ignoring the challenge of Georgia, and in asserting the national authority against South Carolina was plain to every one. Calhoun pointed out how, under the Jacksonian method of handling a problem, the decisions of the Supreme Court might be upheld or ignored, solely on the wish of the President. The

South Carolinians had naturally found encouragement in Georgia's complete immunity from punishment, and they could find no reasonable explanation of the discrepancy. No one can, for that matter. Jackson was guided by his feelings in both cases, and because of that fact he could completely overlook in the Georgia case the principle which he enforced against South Carolina. But Calhoun came from South Carolina, and Calhoun and Jackson were no longer on speaking terms.

CHAPTER XXXIII

JACKSON'S TRIUMPH

Out of the tangle of issues, controversies, personal animosities, and political intrigues which occupied a great part of Jackson's administration there were gradually fashioned two leading political parties, to take the place of the chaotic factional and sectional groups of 1824 and 1828. The voters who elected Jackson had ample numerical strength, but they lacked nearly all the essential attributes of a party. They had neither platform nor national "machine," and aside from Jackson himself, they had no leaders who had any hold on the diverse elements in his following. Consequently once his commanding personality was out of the way, the country might look for more confusion, until someone else should strike the fancy of the voting public. The members of the Kitchen Cabinet, Jackson's group of political experts, determined to prevent such an outcome. To this end they assigned themselves the task of consolidating the Jackson following into a single organization, and their success in the election of 1832 is a tribute to the ability which they applied to their work.

JACKSONIAN POLITICS

In the work of party reorganization, the introduction of the spoils system might be considered the first step. By means of the offices, Jackson's managers were able to give the local leaders a definite stakes in the success of the President. In this way a small, but strategically important group acquired a vested interest in party fortunes, a situation which they were only too glad to perpetuate. In addition to this master stroke, as the first term progressed, the leaders found new opportunities to strengthen and solidify the Jackson enthusiasts.

The victory of the "Old Hero" in 1828 had been made possible by means of an alliance between Jackson and Calhoun, both strong men, both leaders in their respective sections. Because of Jackson's lack of experience in politics, Calhoun confidently expected to have the deciding voice for four years, and then to become the president in 1832. But neither Jackson nor his friends had any intention of giving

Calhoun his own way. Instead of running the government, Calhoun found himself pushed more and more completely into the background, and eventually forced out of the party. The break between the two men occurred in the spring of 1830. For some reason Jackson had been suspicious of the good faith of Calhoun, and these suspicions were confirmed by a letter written by Crawford, in which Crawford asseverated that Calhoun, as Secretary of War, had advocated punishment for Jackson on account of his high-handed proceedings in Florida. The President had considered Calhoun as his friend at the time, and would have continued to do so, had it not been for the machinations of Lewis and other "Kitchen Cabinet" manipulators. They wanted to bring about a break between the two men, in order to ruin Calhoun's prospects for the presidency. When the Crawford letter appeared, Jackson asked for an explanation, which Calhoun could not very well give, except to justify his stand in 1818, and to criticise Crawford for publishing a Cabinet secret. To Jackson any criticism of his acts or any opposition was always equivalent to a personal insult. After reading Calhoun's attempt at self-justification, he broke off relations, informing the Vice-President, in words that bite even at the present time that "no further communication with you on this subject is necessary."

Shortly after Jackson excommunicated Calhoun, the Cabinet began to break up, due partly to the President's determination to get rid of Calhoun's friends, and partly to a dispute over the social status of Mrs. John B. Eaton (formerly Peggy O'Neal), wife of the Secretary of War. She was a handsome young woman of vivacity and charm, with enough unconventionality to make her all the more alluring to some of her admirers. She was the daughter of a Washington boardinghouse keeper, and, according to rumor, her conduct before her marriage had been shaped somewhat by the environment of a tavern. Her sudden elevation to the exalted rank of a Cabinet member's wife provided Washington with the thrill of a delightful scandal, dear to the heart of every "society." In such matters, men, left to themselves, are considerably more catholic in their tastes and charitable in their judgments than women. They could forgive a good deal in any one so fascinating as the sprightly Peggy. It may be that this masculine tolerance confirmed the wives of the other Cabinet members in their determination to ostracise Mrs. Eaton. In any case they did so, and in doing so they were led by Mrs. John C. Cal-

houn. Jackson was firmly convinced that the wife of his Secretary of War was the victim of a grave injustice, and he ordered his advisers to pay due respect to the injured beauty. Because of the danger of domestic insurrections most of them had to refuse. Van Buren, however, was a widower, untrammeled in his social maneuvers, and consequently free to treat Mrs. Eaton with the most gallant courtesy. He therefore won the instant and lasting regard of Jackson, while his less fortunate colleagues were soon set adrift. In the spring of 1831 the Cabinet broke up. Even Van Buren resigned, but with Jackson's full approval, in order to become candidate for the vice-presidency. In getting rid of his first Cabinet, Jackson was able to secure men more directly in sympathy with him and his measures, and in that way to promote party unity.

JACKSON AND THE BANK

The attainment of something like party solidarity during the first term was hastened by Jackson's attitude toward the Second Bank of the United States. It provided what had heretofore been wanting, a definite, tangible, concrete issue upon which politicians could seize, and out of which they could get a slogan to arouse the voters. Chartered in 1816, the Bank had not been entirely happy during its first few years. Bad management brought embarrassments, and popular opposition seemed almost to threaten its very life. Had it not been for the Supreme Court, in its McCulloch *vs.* Maryland decision, the Bank would have been taxed to death in the Southern and Western states. Under Cheves, and later under Biddle the Bank became a success.

In his first annual message Jackson referred to the approaching end of the Bank's charter, and remarked that both "the constitutionality and the expediency" of the law creating the institution had been seriously questioned. Both the President and his followers in the West were opposed to the Bank, partly on the ground that it had been a financial success. More particularly, their opposition was due to the conservatism of the officers, which the debtor section, always looking for "easier" money, resented. Furthermore the Bank was a great monopoly, with more power than was good for it or for the people. According to rumor, zealously circulated by Kendall, Hill, and Blair, the Kitchen Cabinet group, the Bank had used its influence against Jackson in the campaign of 1828.

Just why, or even just when Jackson decided to make the Bank an issue is not clear. In any case, he was pondering over the matter in 1829, and raised the question again in 1831. Because of the effect of the President's questioning upon business, Biddle, the Bank's president, determined to settle the controversy by applying for a new charter. He did so in January, 1832. A bill for a recharter was introduced in the House in March, and finally passed in July, by narrow majorities. On July 10, Jackson vetoed the bill.

From the standpoint of banking and economics the veto message was ludicrous, in its ignorance of all the fundamental principles of finance, public or otherwise. But Jackson did not pretend to be a financial expert. He was a popular politician, and there was good political capital to be derived from an attack upon the great monopoly. As a move in campaign strategy, the message was a remarkable document. In addition to attacking the monopoly features, Jackson calmly put to one side the decision of the Supreme Court concerning the constitutionality of the Bank. No statement of that body, he declared, was necessarily binding upon either the executive or the legislature. These were all coördinate departments of the government, each one free to form its own opinion concerning the Constitution. The Court had no more authority over the opinion of Congress than Congress had over that of the Court. The President was independent of both the other branches.

In the veto message, Jackson gave formal expression to the doctrine of executive infallibility in judging the work of Congress and of the Court; at the same time, he made the Bank the leading issue in the presidential campaign of 1832. This brought him support in the West and South, where the Bank had been especially unpopular. His Indian policy, especially his failure to act when the State of Georgia repudiated the Supreme Court, made him even more popular in the South. The break with Calhoun strengthened him, because it freed him from any show of dependence upon a popular leader and possible rival. Whatever he lost in dropping Calhoun was more than made good by his Indian policy.

Jackson's nomination for a second term was inevitable. He was sure of that, anyway, but it came to him in somewhat different manner from the earlier one. His victory in 1828 had been distinctly a personal triumph, secured with the help of able individuals, but without the agency of a regular party. By 1832 Jackson had a

real party behind him, a new Democratic organization. Aside from the Bank and the Indians, the principles of this new creation were somewhat hazy and indefinite, but the machinery was ready for work.

THE ANTI-MASONS

In the campaign of 1832 certain extraneous issues appeared, destined to leave a lasting mark on party activity. In 1826 one William Morgan, a New Yorker, had mysteriously disappeared. He had published a book, purporting to reveal the secrets of Freemasonry, and the public assumed that the order had made away with him. Out of this belief there grew up a widespread opposition to secret societies of any kind. College Greek Letter societies, including even the eminently proper, innocuous Phi Beta Kappa, all came under the ban. Masons, according to report, so completely controlled the judicial machinery of the country that no Mason could ever be punished for crime. No jury dared to convict, and no judge would sentence a brother of the order. Public feeling became bitter, and insisted that all such orders, and especially the Masons, must go. The excitement was carried over into politics, and an Anti-Masonic political party was formed, dedicated to the destruction of the great fraternal organization.

PARTY CONVENTIONS

This new party would have achieved notoriety from its attacks upon the Masons, but there was little in what it stood for to give it any permanent value. It did acquire fame, however, because it introduced the national party convention, a new piece of nominating machinery, to take the place of the discredited and discarded caucus. On September 26, 1831, delegates of the party met at Baltimore, to nominate candidates for president and vice-president. Their standard bearer was William Wirt, of Maryland, a Mason in former days, possibly one in good standing when he was given the nomination. In any case he had the courage to defend the order in the very convention pledged to its destruction. It may be that in nominating him, the Anti-Masons hoped to draw votes from those who were opposed to both Clay and Jackson, regardless of their standing on Freemasonry; while the platform would appeal to the opponents, the candidate might appeal to the friends of the society.

On December 12, 1831, a convention of so-called National Repub-

licans met at Baltimore. They were the followers of Adams and Clay, loose constructionists who stood by a protective tariff and internal improvements. This group nominated Henry Clay, formerly the idol of the West.

The Jacksonian Democrats held their first convention at Baltimore in May 1832. While Jackson's nomination was a foregone conclusion, there was more or less doubt concerning his running mate. He preferred Van Buren, but outside of his own state the "Little Magician" had no particular following, and he was especially disliked in Pennsylvania. The convention was under the control of the Kitchen Cabinet, and thanks to their foresight Van Buren received the nomination on the very first ballot.

In the ensuing campaign, the newspapers, organs of the various candidates, were especially bitter in attacking their opponents. It was, however, more than a campaign of mudslinging, because issues were more important than they had been four years earlier. Clay emphasized the Bank and the tariff, but on the Bank he had the unpopular side. There is no doubt that the people at large were with Jackson on that subject, and he took full advantage of the issue. In the popular vote Jackson ran nearly one hundred sixty thousand ahead of Clay, while the electoral vote stood: Jackson two hundred nineteen, Clay forty-nine, Floyd eleven, (the whole South Carolina vote) Wirt seven.

REMOVAL OF THE DEPOSITS

It is probable that this enthusiastic show of support strengthened Jackson in his determination to force South Carolina to back down, and it is certain that it gave the President the assurance he wanted in dealing with the Bank. His attack upon this institution became the outstanding feature of his second term. Although the Bank's charter did not expire until 1836, Jackson determined upon an immediate divorce of it from the government. The charter made it the depository of federal funds, unless the Secretary of the Treasury should order otherwise. Jackson planned to withdraw the deposits. His Secretary of the Treasury, McLane, refused to take part in the program, so he was promoted to the State Department. His successor was William J. Duane, appointed for the express purpose of carrying out Jackson's orders regarding the Bank. For some reason Duane refused to comply, so he was compelled to give way to Roger

B. Taney. This third incumbent was in full sympathy with his chief. Late in September, 1833, Taney announced that the Girard Bank of Philadelphia would become the government depository. By the end of the year twenty-three banks had been selected to assist the government in handling its funds. The deposits were not actually withdrawn from the Bank of the United States, in the sense that they were taken out and placed elsewhere. No new deposits were made there, and the money already there was gradually drawn out, in the ordinary course of business.

In the annual message of December, 1833, Jackson referred to these proceedings, thereby giving Congress an opportunity to deal with it. The Senate, which had an anti-Jackson majority, asked for a copy of Jackson's statement to his Cabinet, regarding the removal of deposits. Jackson refused the request, in a communication full of that exasperating scorn which he was able to use so well. This started a three months' debate, culminating in the Senate resolution of censure, which declared that Taney's reasons for the removal of the deposits were unsatisfactory and insufficient, and that the President had assumed authority not conferred by the Constitution or the laws. Jackson protested formally against the censure, and, after a long dispute, in January, 1837, under Benton's leadership, the Senate voted to expunge the resolutions from its Journal. This final step closed the controversy over the Bank, sometimes described as the greatest episode in Jackson's administration. It is difficult for a modern reader to become greatly excited over the issue, and one may well question the intrinsic value of the contest. Perhaps the best that can be said for it is that it is typical of the interests and activities of the federal government during that time.

SPECULATION

When the government ceased to use the Bank of the United States, it used a number of selected state banks as depositories. On the whole these seem to have been carefully managed, and in spite of the tales of favoritism and "wild-cat" methods, they were reasonably sound. But the approaching end of the national Bank gave an impetus to local banks of all kinds, and many of these were everything that banks ought not to be. Started with little capital and less specie, they ran riot in issuing notes and in making loans. Between 1829 and 1837 the number of banks increased from three

hundred twenty-nine to seven hundred eighty-eight, while the total capitalization increased only from $110,000,000 to $290,000,000. The loans went up from $137,000,000 to $525,000,000 and their note circulation from $48,000,000 to $149,000,000.

In the wave of speculation then spreading over the whole country, this plunge into loose banking was both cause and effect. Money was "easy," and business on credit underwent a rapid expansion. The times had never been more encouraging to daring plungers in all sorts of financial schemes. Due in part to the reopening of the West Indian trade, American commerce was growing rapidly. Then too the demands of domestic trade had encouraged various road and canal projects, in which most of the states were actively at work, all spending money. Prices were moving upward, and everything pointed toward an era of extraordinary prosperity.

At this very time, when the country was demanding a larger volume of money in circulation, the federal government was in danger of tying up what money there was. The public debt was all paid off, and because of the tariff, the federal treasury was actually accumulating a surplus. Although the funds so held were on deposit in local banks, where they could be used as the basis for note issues and loans, a portion had to be kept as reserve. In order to get rid of this surplus, in 1836, Congress passed an Act providing for the distribution of it among the states. According to the law, the whole amount, nearly $37,500,000, was to be paid over, in the form of a loan, in four installments. The apportionment was based upon population, so that New York got the largest share, approximately $5,000,000, while Michigan and Delaware drew a little over $380,000. Only three payments were made, however, because the panic of 1837 plunged the treasury into a deficit. Theoretically loans, the sums paid were actually gifts, to be used by the states as they saw fit. Many of them applied the money on internal improvement plans, and then borrowed heavily to complete the work. All this encouraged the tendency to extensive speculation.

Because of the bearing of all this business expansion on the sales of public land, the government had a direct interest in the proceedings. Before the attack upon the Bank, the land agents had accepted its notes in payment for the sales. With the inauguration of the "pet bank" era, the agents continued to accept notes, regardless of the character of the bank which issued them. Under this arrange-

ment speculators were buying land with almost no money at all. The purchasers would borrow from a bank, taking the amount in notes. These would be paid to the land agents, who deposited them with the bank of issue, or one like it, whence they were immediately lent out again. All the government got out of the sales was a certain amount of credit with a number of banks which had no stability. Some of the schemes resorted to were interesting examples of the ease with which credits could be multiplied. A man would borrow $ 100 from a bank, giving perhaps simply his personal note as security. With this money he could buy eighty acres of public land. Then he would lay the land out in "town lots," and by so doing automatically raise its value to $ 1000. Then, with his "town lots" as security, he could borrow a $ 1000 and buy eight hundred acres. By this process, a person with a little imagination and a great deal of nerve could acquire title to thousands of acres of the best undeveloped land in the country. Of course he would lose it to his creditors when the inevitable crash came, but the government lost its hold upon it, and in the end got nothing. It is not surprising that the receipts from land sales went up from $ 1,880,000 in 1830, a fair average, to $ 24,877,000 in 1836.

In order to put an end to this amazing process of piling up worthless credits, Jackson issued his "specie circular," in 1836. This prohibited the receipt in payment for public land after August 15, of anything but gold or silver. According to Benton, Jackson issued the circular against the advice of his Cabinet, and he prudently waited until after Congress had adjourned, for fear that it might upset his plan. The circular tended to check speculation in public land, and at the same time it undermined confidence in bank notes.

Among other measures of Jackson's second term, the Indian policy is one of the more important. From the beginning, Jackson himself had been committed to some project of removal, and he referred to it in a number of messages. Regretting that the step was necessary, he and his supporters argued that the Indians could not be allowed to impede the progress of white settlement and civilization. Throughout the history of the world, problems of this kind, where a superior race comes into contact with a weaker, have always been settled on the basis of the relative strength of the two parties concerned. The Indians therefore had little chance. In June, 1834, Congress pro-

vided for the creation of an Indian territory west of the Mississippi River.

The process of removal went on rapidly. In December, 1835 Jackson announced that except for two small groups in Ohio and Indiana, not more than fifteen hundred in number, and the Cherokees, all the tribes east of the Mississippi had made an agreement regarding removal. By 1837, ninety-four Indian treaties had been concluded, for the most part ceding Indian lands to the United States.

Before the end of his second term Jackson enjoyed one more triumph in foreign affairs. In 1831 the United States and France had come to an agreement by which the French government had consented to pay twenty-five million francs, in full settlement of the claims of American citizens while the United States was to pay 1,500,000 francs. The treaty was duly ratified in February, 1832. The actual fulfillment of the treaty depended upon an appropriation by the French legislature, and because the treaty was unpopular, this had not been made. In 1834, Jackson recommended reprisals on French property, in case the French legislature still refused to act. This message caused considerable ill-feeling in France, but in 1835 the legislature finally made the appropriation, on condition that some of Jackson's remarks be satisfactorily explained.

Naturally Jackson refused to make any apologies, and again urged reprisals. He did, however, suggest that subjects in a president's message were purely domestic concerns, and the French government was willing to accept this as satisfactory. The matter was soon adjusted, and France paid the money.

The other important foreign problem, in connection with Texas, will be dealt with fully in connection with the addition of that country to the United States.

Jackson's final triumph was the nomination of Van Buren, his own choice, as his successor. At the President's suggestion, the party held a convention, supposedly of delegates "fresh from the people." Because of the operation of the spoils system, the beneficiaries were perhaps more conspicuous than untrained politicians. In the election, the managers were able to enforce strict party discipline, while Jackson so manipulated the federal patronage as to ensure Van Buren's success. In the electoral vote the "little magician" had forty-six more than all his competitors combined, and ninety-seven more than Harrison, the leading Whig candidate.

The operations of the so-called Whig party at this time bring out some of the peculiar features in American politics. Under that caption were included a far more heterogeneous mixture than that under the Jackson banner in 1828. The most conspicuous subdivision was the group of national Republicans, or the Adams-Clay-Webster following, noted for their advocacy of a national bank and a protective tariff. At the other extreme were the determined states' rights element, which repudiated Jackson because he threatened the South Carolina nullifiers with violence. Many of the Anti-Masons drifted into the Whig party, as did various voters who feared Jackson's "tyranny." So diverse were these elements that they were never really consolidated. As a party the Whigs had few if any principles; they were neither radical nor conservative; they merely opposed Jackson. Under ordinary conditions there would have been nothing to hold the factions together. But the spoils system had brought in a new dispensation in politics, and the desire for federal jobs took the place of agreement on issues and leaders. The Whigs wanted the plums and that desire alone kept the party intact for over sixteen years. Twice the voters turned to it for a president, not because it had anything to offer, but simply because it was the only instrument available with which to punish the administration in power. Both parties were alike, in that they existed primarily to control and to enjoy the returns from the patronage. For this reason party history as such during these years is singularly devoid of great issues.

If this appears to be a somewhat disheartening conclusion for the "reign" of Andrew Jackson, it has at least the merit of truth. Jackson did inaugurate the policy of Indian removals, he regained a part of the West Indian trade, he settled the long-standing problem of French claims, and he destroyed the Second Bank. What he did to South Carolina is a matter more of opinion than of fact. To be sure the West entered actively into politics, but the new section could not have remained in the background, in any case. As subsequent history shows, Jackson did nothing to give the West permanent leadership in national affairs. That has come from the East and the South as frequently as from the West. Aside from these things and the spoils system, Jackson did little.

But the mark of Jackson's Kitchen Cabinet is still to be seen in American public life. Professional politicians still devote themselves

to the task of running the government, and they still dominate the votes. Down to 1900 the machine was kept intact by the use of federal patronage, in spite of limited civil service reform; even now there are enough offices left for the politicians so that more often than not patronage continues to overshadow principle.

The constant criticism of the system, from Jackson's time to the present, indicates that there is a certain amount of dissatisfaction with it. People feel that politics should be conducted differently, and they have launched reform after reform, to establish a new order. So far no great measure of success has come to reward them.

CHAPTER XXXIV

DEMOCRATS *VERSUS* WHIGS, 1837–1845

A number of circumstances have combined to give Martin Van Buren a low rank among the presidents of the United States. As the choice of Jackson he incurred the bitterness of the Whigs, many of whom were in a position to give wide publicity to their views. As one of the pioneer national spoilsmen he has long been anathema to the reformers. As a machine-made president he entered office with little popular support, and as chief executive during a severe "panic" he was held responsible for the period of hard times. Under that handicap it would have taken a genius to achieve success, and Van Buren was no genius. He was, however, a courteous, affable gentleman, and a man of considerably more than the average education and ability. His misfortunes were the product of forces beyond his control, although he and his predecessor may have been partly responsible for shaping some of those forces.

THE PANIC OF 1837

The outstanding feature of Van Buren's single term was the Panic of 1837, one of those serious economic crashes which have occasionally tormented the country. In dealing with a panic it is very easy to describe the symptoms, much easier than to explain the causes. Banks failed, business men failed, manufacturers failed; farmers saw their lands sold under foreclosure, voters saw the state governments refuse to pay their debts, some of which were repudiated entirely. The federal government saw its revenues shrink from an embarrassing surplus to a very troublesome deficit.

A small part of the difficulty may have been due to the fiscal and banking policy of the Jackson administration. There is no doubt that the placing of public funds in local banks and the distribution of the surplus revenue gave a great impetus to speculation. Everybody was buying something or investing in something. In New England money was put into new factories, in New York into factories, com-

merce, and transportation, in the Middle West into farms and transportation, in the South into cotton culture and slaves. This was the period of great transportation schemes, when the canal was just beginning to feel the competition of the railroad. States which had mortgaged the future for years ahead to build canals had to begin over again and repeat the process with railroads. Because the actual volume of money available was nearly fixed, most of these new enterprises, East, West, and South were financed on credit. Because of the demand for credit, interest rates were high, so high that the American commercial centers were constantly attracting money from abroad. By 1836 the United States, as a community, was heavily in debt to Europe.

The difference between speculation and sound business is in many cases like the difference between heat and cold, one of degree, not principle. Sometimes the business world can carry for years at a time a high superstructure of credit without any difficulty; moreover a country may pass from a policy of retrenchment to one of extraordinary speculation and back again without a panic. Again, as in 1837, the period of prosperous expansion may be cut off by a sudden collapse. What makes the difference has never been entirely clear. Men whose ventures are carried off successfully within the period of prosperity are described as geniuses, builders of wealth; the same men, doing the very same things a year later are miserable speculators, parasites upon society.

In 1836, there had been enough money in circulation to sustain a vast volume of credit. In 1837, the same circulating medium was not sufficient to carry anywhere nearly the same amount of credit. No one has ever explained satisfactorily why the break came. One thing is certain, that the causes of this panic were not local. The difficulties were world-wide, and to all appearances, the first signs appeared in Europe. English bankers at the same time had financed English factories, American canals, and various other enterprises. Americans, either as corporations or as state governments, had borrowed nearly $2,000,000 from English creditors. They in turn had borrowed heavily in Europe. When the European lenders began to demand payment, the English bankers were obliged to call in their loans. At the very time of these demands, funds were needed in America to finance the speculations in cotton lands, wheat lands, and canals. The extended credit could not be converted into cash

for years to come, and the sudden call for payment meant failure for bank after bank.

In attempting to account for the unexpected and widespread demand for funds, which precipitated the panic, Professor Channing suggests the possibility that the little understood forces of nature, expressed in climatic conditions, may have been responsible. A world-wide decline of agricultural production may have given the initial impetus. It is also possible that purely psychological factors may have started the collapse. The successful conduct of business on credit depends upon confidence, and confidence is easily upset. Human beings are still primitive enough to react quickly and irrationally to the instinct of fear, frequently without being able to tell what inspired the fear in the first place. Once aroused, fear will rush through the commercial world like fire through a barn full of hay.

While foreign creditors were insisting upon an immediate settlement, the American wheat crop failed, so completely that farmers were compelled to buy seed abroad for the next year. Cotton, which had been selling as high as twenty cents, dropped to ten. Flour went to twelve dollars a barrel, a price almost unheard of previously, while wages declined or stopped entirely. Before the autumn of 1837, every bank in the country stopped paying specie. By the following spring there were signs of recovery, but confidence and good business were not fully restored until 1840.

Van Buren's remedy, designed however to operate in the future rather than for the immediate present, was the so-called independent treasury system, under which the funds of the government would be entirely separated from the business world. Under this plan all money received would be deposited in the treasury at Washington, or in various "sub-treasuries" to be established in certain selected centers. Because of opposition in Congress, the President's measure was not enacted until 1840. In 1841, the Whigs repealed it, but in 1845 the law was reënacted. The independent treasury lasted until 1914, when it was superseded by the Federal Reserve System.

THE CAMPAIGN OF 1840

While Van Buren and the administration party were struggling with the accumulated financial embarrassments created by the panic, Clay, Webster, and John Quincy Adams devoted their talents to perfecting the Whig organization. Nothing is quite so good for the

opposition party as a panic. The voters can be easily made to fasten the whole responsibility for it upon the administration in office. With that idea firmly implanted, they proceed to take vengeance in the next presidential election. From 1837 to 1840 the Whig leaders ridiculed the financial policy of Jackson and Van Buren, and called upon the people to save the country by putting in the Whigs.

Historians have never found very much in that party to justify popular confidence. It did have great leaders, one of whom had been president, while two others, Clay and Webster, spent their lives in a vain race for that honor. But the Whigs were still the unfused, widely divergent factions of 1836, united neither upon leaders nor upon principles. The local chieftains were noted for their loud-spoken denunciation of the Democrats, for their deep-seated desire for federal jobs, and in many cases for little else.

The Whig convention met at Harrisburg in December 1839. Unable to agree upon any constructive program, they were as a consequence unable to nominate any one of their great leaders, who were all of the National Republican school, believers in a bank, a protective tariff, and in internal improvements. Passing over them, because their attitude was well known, the convention nominated William Henry Harrison, one of the few generals who had come through the War of 1812 with any credit. Aside from his military career, his chief asset was the widespread ignorance within the party concerning his political views. For Vice-President they selected John Tyler, a Virginian, a follower of Calhoun, and a Democrat in everything except his attitude toward Jackson.

With a frontier military hero for their candidate the Whigs were able to conceal their own irreconcilable differences and their want of a platform by campaign methods new to the United States. Log cabins, raccoon skins, and hard cider became the symbols of the party, and with these as a means of appeal the party leaders aroused unprecedented enthusiasm among the voters. Processions, banners, and all the paraphernalia for reaching the emotions became the order of the day. For the first time a presidential campaign was turned into one long, joyous, hilarious uproar, in which any sensible discussion of issues would have been as foreign as fish in a desert.

The result showed that the people liked the innovation, in spite of, perhaps because of, the cheap claptrap. Harrison won, with a substantial majority, and an electoral vote of two hundred thirty-four to

his opponent's sixty. The total popular vote was nearly a million more than that of the preceding election. Disgusted as they were with the outcome the Democrats could not deny that their opponents had distinguished themselves by their campaign methods.

PRESIDENT HARRISON

On inauguration day, Harrison was duly installed in office, in the midst of enthusiastic applause, furnished in large measure by the swarms of office-seekers who poured into Washington. These faithful followers crowded the streets and filled the boarding houses, while some even slept in the doorways of the White House. In the meantime the new President, a man of seventy years, was entirely in the dark as to his place in the new dispensation. Able in military affairs in his younger days, clever and tactful in dealing with office-seekers, he had no comprehension of policies or methods. Consequently for advice and help he turned to Henry Clay, who was more than any other man the leader of the party. Clay selected the Cabinet, and drew up the legislative policies. Congress was called for a special session, primarily to repeal the Independent Treasury Act, to re-establish a bank, to enact a higher tariff, and to provide for internal improvements. Some of these policies were popular in the East, some in the West, but the southern Whigs disapproved of them all. Within a month after his inauguration, and nearly two months before Congress met, Harrison died. Tyler, his successor, disapproved of every single feature of Clay's program.

PRESIDENT TYLER

Congress passed a bill for a bank, which the President promptly vetoed. A second met the same end, and eastern Whigs stigmatized the President as a traitor. Clay's internal improvements plan, based on a scheme to distribute the proceeds of public land sales among the states, was so altered that it was worthless. Stung by his failure to command the executive and to direct the policies of the administration, Clay advised Tyler's Cabinet to resign. All the members did so except the Secretary of State, Daniel Webster. The common explanation of his refusal to follow his colleagues into private life is that he was then engaged in a series of delicate negotiations with Lord Ashburton, the British minister to the United States. The problems were then in process of solution, and Webster did not wish to jeopard-

ize the prospect of a satisfactory settlement by turning his department over to an inexperienced man.

Troublesome enough in themselves, these questions had been rendered more than usually serious by the outspoken sympathy for the Canadians in their insurrections from 1837 to 1840. There were French Canadian uprisings and Republican uprisings, both aimed at the overthrow of British rule. Before the United States government could bring to bear sufficient force to guarantee its neutrality, Americans along the border had participated in the disturbances. Out of this situation developed the *Caroline* affair. In 1837 military forces fitted out in New York stationed themselves on Navy Island, in American waters near Niagara. Their supplies came from the United States, by the steamer *Caroline*. In December, 1837, a detachment of Canadian militia crossed the river, set fire to the *Caroline*, and turned her adrift over the falls. In the course of this enterprise one American was killed. In 1840 one Alexander McLeod, under the influence of liquor, made the boast that he had killed the man. He was arrested, and tried for murder. The British government demanded his release on the ground that whatever he had done had been in the course of carrying out military orders. McLeod was being tried in a New York court, and the federal government had no authority to interfere. Such was the situation when Webster became Secretary of State.

Webster was finally able to secure McLeod's release, thanks to a fortunate, though perhaps fictitious, alibi. Then, to guard against the recurrence of such a complication, he was instrumental in getting a law through Congress providing that a subject of a foreign power on trial in a state court might be transferred to a federal court, and dismissed, if the latter court approved.

A more important controversy had grown out of the uncertainty regarding the location of the boundary line between Maine and New Brunswick. The treaty of 1783 had been anything but definite on that point and the citizens of Maine and of New Brunswick had gone almost to the point of war. The Webster-Asburton treaty of 1842 compromised the dispute. The territory in question was divided, in such a way that Maine got the Aroostook valley, and a part of the valley of the upper St. John. The United States got about seven thousand square miles, and Great Britain about five thousand. It is possible that the general disapproval, on both sides, with which the

treaty was received is a tribute to its fairness and justice. Other questions, regarding the slave trade, were finally regulated to the satisfaction of both countries.

If the history of political parties, and, at times, of the presidential administrations, seems almost devoid of matters of real importance, the times themselves were full of interest. Between 1830 and 1860 the United States was growing up, so to speak, and the steps in that growth need to be examined with care. Furthermore, new problems were arising, problems of slavery and expansion, both destined to test the endurance of the country to the very utmost. Because of the peculiar significance of these matters the chapters immediately following will be concerned little if any with politics, and very much with the new issues.

CHAPTER XXXV

CHANGING SOCIAL AND ECONOMIC CONDITIONS, 1830–1860

After 1830 conditions and forces which had been coming to the surface during the preceding period began to produce definite results. The nation was growing, unmistakably, in a variety of directions, and the conditions of American life were undergoing significant changes. Eastern industrialism, struggling for existence in 1815, dominated its section by 1850, while slavery, which seemed to be on the decline, at least before 1810, became so important that it threatened to divide the union. At the same time the West was fulfilling its early promise, and more. Along with the growth national consolidation in the North and West was proceeding rapidly, fostered by the continually improving transportation facilities, and by a steadily widening market.

In the East, both in New England and in the Middle Atlantic states, perhaps the outstanding characteristic was the wide variety of economic interests. Diversified farming, commerce, and the fisheries were still important, not yet overshadowed by the rapidly increasing industrial system. In manufacturing, both hardware and textile, new industries were appearing, and new methods were being introduced, all of which resulted in more profitable returns on investments. New spinning and weaving machinery, and the sewing machine reduced costs, and so increased sales.

Because of the better means of transportation, for business purposes the size of the country was greatly reduced, or, perhaps more accurately, the manufacturer's market underwent remarkable expansion. Business operations could take in the whole country. Because the greater opportunities demanded more capital and a more efficient organization, corporations began to take the place of individuals and partnerships. Had it not been for the overshadowing gloom of the slavery problem, this tendency toward industrial and commercial concentration would have attracted wide attention. As it was, the country did not awake to the possible consequences of the change until after the Civil War. The story of this industrial expansion

can be read in statistical tables showing the increasing number of spindles in operation, and in the census reports, which reveal the steady relative increase of the town population.

LABOR TROUBLES

Aspects of the same story, and especially some of the consequences of the change can be seen in the new American problem of the industrial laborer. During the colonial period, in fact down to the beginning of the nineteenth century, the only labor problem had been to find enough of it. Labor shortage had long been a chronic complaint. With the establishment of the factory system, and with the heavy influx of immigrants during the middle of the century, this condition began to change. Workmen especially were imported from abroad to run the new machines, and to teach others to run them. As the size of a given plant increased, the owner found himself separated more and more completely from his employees. With the new conditions brought about by the railroads, he found it more profitable to devote himself to matters of management and selling than, as formerly, to work with his men. As a result the workers began to realize that they were being set off by themselves, as a more or less distinct class. The first laborers to realize this process clearly enough to act with reference to it were the shoemakers, the tailors, and the printers. The inevitable result was organization, for the purpose of improving their situation, that is, getting shorter hours, higher wages, or better conditions in the shops.

The first real "strike," concerning which there is satisfactory evidence, was that of the Philadelphia shoemakers in 1805. They demanded higher wages, and in trying to get them they adopted the most approved modern methods. Every journeyman who came to Philadelphia was supposed to join the union, the few who refused to join in the strike were subjected to unpleasant pressure, and the employer was threatened with violence. After 1825 labor agitation became more important. The "societies" or unions were demanding a standardized working day of ten hours, instead of the traditional day of from sunrise to sunset. In 1827 hundreds of Philadelphia carpenters struck for the ten hour day.

As the various trades established their organizations, they naturally turned to politics to get what they wanted; workingmen's parties began to appear. These movements, however, brought few if any

results, because the workingmen could not compete to advantage with the professional politicians.

Beginning with the great era of speculation which started around 1830, the laborers laid less emphasis upon the ten hour day, and more upon increased wages. Some advance, they felt, was essential to offset the steady rise in commodity prices. Between 1833 and 1837 one hundred fifty trade "societies" were in existence in Boston, New York, Philadelphia, and Baltimore. In 1834 these unions had a membership of twenty-five thousand. During these same few years the country was given the opportunity to watch no less than one hundred sixty-eight strikes, most of which were for higher wages. These strikes were well distributed among all the organized trades. Factory workers too began to strike, even those at Lowell, in protest against a reduction in wages.

The Panic of 1837 brought widespread unemployment, thereby making both unions and strikes ineffective. With all business at a standstill, people generally became more interested in the task of keeping themselves alive than in shorter hours or increased wages. During this time of calamity, immigrants from Europe began to circulate the various theories of communism and primitive socialism which were then beginning to attract attention in Europe. Under their influence schemes of coöperative manufacturing and selling were tried out, without any appreciable success.

After 1850, the industrial sections became more generally like those of the early part of the present century. The founders of the factories had ceased to take any active part in business, and the ownership was distributed among stockholders, whose primary aim was profit. At the same time the personnel of the operatives underwent a change. The first operatives had been drawn from the American farming population; the newer ones were immigrants from Europe. Then too, work was becoming much harder, as the machines were speeded up. Formerly fairly well off as compared with the skilled workers in the various trades, the factory workers found conditions of life and of work becoming more uncomfortable. Even in Lowell, where Charles Dickens had found conditions so eminently satisfactory, after 1850 the mill operatives had ample cause to complain. Working ten hours a day, in the midst of unhygienic surroundings, under the imperious demands of power-driven machines, the lot of the industrial laborer was in some respects not so good as that of slaves on the southern

plantations. They at least were working out-of-doors, and the ordinary overseer was certainly no worse than the combination of foreman and machinery. As for habitation, if slave cabins were not always noted for cleanliness and sanitation, mill town "tenements" were not uniformly attractive and healthful. This comparison was made at the time, and it has been made since, with a certain amount of justification.

Under the circumstances, it is not surprising that organized labor became more determined in its struggle for a share of "the promise of American life." By 1860 it had won the ten hour day, and general recognition of its right to organize, and it had managed to advance wages along with advancing costs.

AGRICULTURE

The great industrial development in the East was made possible by the rapid agricultural progress in the West. In the newer section, still showing some of the effects of its recent pioneering days, farming was the primary interest. The unit there was the small farm, worked by the owner, in some respects the most satisfactory system ever devised. With fewer social demands, the cost of living was less than in the other sections, while the uniformity of economic conditions created a homogeneous, hard working, thoroughly democratic community. If there were fewer signs of wealth than in the East and South, signs of poverty and dependence were also rarer.

This was the section which produced food for the other two. And the western farmer was thoroughly alive to the desirability of improved methods for his work. Instead of investing his money in more land and in slaves, he put his surplus into labor-saving machinery, making it possible to get along with comparatively little "hired help." The McCormick reaper, invented in 1833, was in general use by 1840. By 1860, these machines were being manufactured at the rate of twenty thousand per year. During the two decades before the Civil War, other machines came into use, such as the mowing machine, and the threshing machine.

Down to the time of the introduction of these improved implements, farmers had done their work with tools not greatly different from those used by the ancient Egyptians. The nineteenth century was above everything else the age of machinery, and the farmer came in for his share of its advantages.

THE RAILROAD

The exchange of food and manufactured products was greatly facilitated by the railroad building, then going on actively in the United States. In 1840, there were perhaps twenty-three hundred miles in actual operation; this had been increased to six thousand miles by 1848. Between 1849 and 1857, about sixteen thousand five hundred miles were built. Although the earliest lines were short, designed to serve merely as connecting links between waterways, rather than as independent carriers, improved rolling stock demonstrated that the railroad had numerous advantages over canals. The first collection of short roads, to link the region of the Great Lakes with the Tidewater was the series subsequently joined in the New York central system. By 1850 it was possible to travel from New York to Buffalo by rail, though there was no through service. The first long line planned out in advance was the Erie, completed in 1851. In 1852 the Pennsylvania lines reached Pittsburg, and in 1853 the Baltimore and Ohio reached Wheeling. In the same year the Canadian Grand Trunk connected Portland, Maine, with Montreal.

Although the first genuine steam railroad was built to connect Charleston, South Carolina, with the Savannah River in Georgia, the South lagged behind the North in railroad construction. The lines built during the early fifties for the most part ran east and west, between the Lakes, the Ohio, or the Mississippi River and the Atlantic seaboard. These new transportation means swung the whole current of American trade in a new direction, and so transformed the economic relationships of the country. It was now possible for the West to send supplies east, instead of down the Mississippi. As a result the West was divided, and the Northwest was tied solidly to the East. The significance of this change will appear later in connection with the Civil War.

If the steam locomotive had been invented somewhat earlier, it is probable that the states would have built the railroads. They had built the canals, bankrupting themselves in their too-ambitious enterprises. As a result, when the railroad era opened, the work was undertaken by private corporations, aided however by liberal grants of public land from the federal government. In 1850 the Illinois Central received two and a half million acres, and by 1856, nineteen million acres had been granted to railroads in eight states.

The earlier railroad trains were crude affairs. The locomotives could not run on rainy days. When they did run, they sent out a continuous shower of sparks, so that the passengers were kept busy putting out fires in their clothing. The original coaches were simply ordinary coach bodies, on trucks designed to run on rails. Farmers complained, not only because the sparks set fire to their grass and buildings, but because the noise frightened the cows so that they ceased to give milk. Although improvements came quickly, the strictly modern railroad was not evolved until after the Civil War.

The first telegraph line was opened in 1844, and by 1860 there were about fifty companies engaged in sending messages by telegraph. The invention was convenient for commercial use; it proved indispensable in running the railroads.

No other single invention did so much toward completing the process of national consolidation as the railroad. Calhoun became more and more fearful that the process would inevitably minimize the importance of the states, and magnify the federal government. He was right. Although the South tried to resist the tendency, it was finally brought into line with the rest of the country. After the Civil War, the national government assumed powers of which the framers of the Constitution had never dreamed.

THE PLANTATION SYSTEM

In the South, during this period, the outstanding economic and social factors were the plantation and slavery. Cotton had become more and more the dominant interest, the plantations grew larger and larger, and in the cotton areas the small farmer was almost unknown. The cotton planters became the ruling class in the South. Because of its concentration on cotton growing, the South neither raised nor manufactured enough to supply its own needs. Moreover the southern system made the accumulation of capital almost impossible, so it was dependent upon the North, or upon Europe, for its capital for banking, insurance, and for building railroads. Even the shipping which transported the cotton to market was supplied by the North or by England. While the other sections were working out a highly complex and diversified economic life, or a thoroughly modern farming system, the South clung to the more primitive institutions of the plantation and slave labor.

During the two or three decades preceding the Civil War the South

became more and more firmly convinced that slavery was essential to profitable cotton. This belief of theirs was in no way concerned with the ethical question of slavery. To the successive generations born in the South, unaffected by any abolitionist agitation, slavery did not appear in the guise of a moral wrong. They saw it as a part of the established order, one of the provisions which an all-wise Creator had ordained for the benefit of mankind. It was just as inevitable to them as the wage system is to the majority of people at the present time, and they resented attacks upon it just as some people resent socialist attacks upon the established order to-day. Mankind in general always finds it easier to accept the world as it is, than to work for the introduction of new, untried schemes of more or less doubtful merit. For the northern generations brought up on *Uncle Tom's Cabin*, Abolitionism, and the conviction that slavery was a crying evil, it may be hard to visualize the matter-of-fact attitude toward slavery which originally prevailed all over the country, and which continued to prevail in the South.

Taken as a whole, slavery had little resemblance to the picture of it in the minds of reformers like William Lloyd Garrison, of fanatics like John Brown, or even of imaginative novelists like Harriet Beecher Stowe. Usually the slaves were well treated and well cared for, in the majority of cases because the owners were humane, and in other cases because the slaves were valuable financial investments, not to be abused any more than expensive reapers or mowers. Most of them were reasonably happy, and many of them were devoted to their owners. The examples of slavery that attracted northern attention were inevitably the extreme and the spectacular, the kind that naturally attain publicity and notoriety. There were of course fugitive slaves, who ran away for various reasons. For that matter, every society, even to-day, has its fugitives, for one cause or another. It is not necessary to sympathize with the slavery system but it is desirable to understand how it looked from the southern as well as from the northern point of view. Partly, perhaps largely, because of abolitionist activities, which will be discussed later, the South adopted a definite attitude in defense of slavery, in much the same way that enlightened governments defend themselves against "radicalism" to-day. Because of the feeling engendered, the whole question persisted in thrusting itself into politics, at the most inopportune times and in the most disconcerting fashion.

IMMIGRATION

Another factor in this mid-century growth of the United States was immigration. Various causes combined to stimulate this movement from Europe. After the recovery from the panic of 1837 the remarkable prosperity attracted Europeans. Besides, Europe with its revolutions was none too comfortable a place in which to live, at least for those of republican tendencies, so numerous political refugees became permanent residents in the New World. Of the new comers between 1840 and 1860 the two largest groups were the Germans and Irish. The Germans for the most part settled in the Middle West, making portions of some of the states, notably Wisconsin, genuine German communities. The Irish on the other hand preferred the cities and industrial towns of the East. Finding employment at first in the railroad construction gangs, they soon entered the factories. In course of time they almost monopolized the police and fire departments in some eastern cities, and at the same time they showed remarkable aptitude in municipal politics and government.

Practically none of these immigrants went into the South. There were few openings for white laborers there, and the cost of getting established as a cotton or tobacco grower was greater than the cost of beginning farming in the Northwest. Because of this the white population in the South remained more homogeneous than that in any other part of the country.

The steady opening of new farms in the West and new plantations in the South meant a heavy increase in the production of grain and cotton. Some of this, especially cotton, had to find a market abroad. This in turn stimulated foreign commerce, which in 1860, for the export trade, was valued at $333,576,057. Ordinarily the value of the cotton exports was half that of the total, while sometimes it was twice that of all the rest of the export trade.

Never before nor since this period have the shipping interests, both builders and owners, seen such extensive or unbroken prosperity. American vessels went all over the world, carrying the products of other nations as well as their own. By 1860 the tonnage of the American merchant marine equaled that of the British nation. Moreover in 1845, an American naval architect designed and built the first clipper ship, an innovation in maritime transportation. Vessels of this type were the fastest sailing ships ever built, and with

a fair wind they were speedier than the contemporary steamboats.

There was no doubt that the United States was not only holding its own in economic competition with the rest of the world, but in some respects it was developing more rapidly than other nations. The hopes of the founders of the republic were being realized. Unfortunately, with all these assets, there was a steadily growing liability: the refusal of the North and the South to agree upon the slavery issue.

CHAPTER XXXVI

THE ABOLITIONIST CRUSADE

THE ERA OF REFORM

For the student of history who is interested in human behavior, as well as in economics, politics, and government these same three decades preceding 1860 are full of fascinating material. It was a time of reform, and nothing reveals man as he is like a series of reforms. The period has been called by various titles. One historian describes it as "the intellectual and moral renaissance," another as "the hot-air period in American History." Both characterizations are accurate and apt. It was a time of awakening, in literature and religion, as well as in morals; it was a time of humanitarian reform. Almost every department of life was apparently being examined, for the purpose of making a new evaluation. During this process certain customs, practices, and beliefs were found wanting; these discoveries were followed by reforms, some good, some bad, some merely foolish. James Russell Lowell left a brief but very vivid description of this extraordinary enthusiasm for change.

"Every possible form of intellectual and physical dyspepsia brought forth its gospel. . . . Everybody had a mission (with a capital M) to attend to everybody-else's business. No brain but had its private maggot, which must have found pitiably short commons sometimes. Not a few inpecunious zealots abjured the use of money (unless earned by other people), professing to live on the internal revenues of the spirit. Some had an assurance of instant millenium so soon as hooks and eyes should be substituted for buttons. Communities were established where everything was to be common but common sense. . . . Many foreign revolutionists out of work added to the general misunderstanding their contribution of broken English in every most ingenious form of fracture. All stood ready at a moment's notice to reform everything but themselves."

Among the more creditable results of this eagerness for objective improvement perhaps the literary movement comes first. Emerson, Hawthorne, Bryant, Lowell, and Whittier were in their prime then, while Cooper and Poe fit into the period in its beginning, and Whit-

man and Longfellow at its end. No other period in American History can boast as many writers whose work has survived so long. In this same connection might be mentioned the appearance of the modern newspaper with its interest in affairs of the moment and its facilities for gathering information, together with the innovation known as the editorial page. Of the modern papers the *New York Sun* was the pioneer. It was followed by the *New York Herald*, under the guidance of the elder James Gordon Bennett, the *Evening Post*, under Bryant, the *Tribune*, Horace Greeley's great paper, and *The Times* under Raymond. These papers printed *news*, and in their editorials they presented able comments on public affairs by men who knew how to write. In their eagerness to command the enthusiasm of the public, they sometimes indulged in bitter feuds with each other. Greeley never referred to the *Herald* by name. In his columns Bennett's paper was always "the Satanic press." But these little amenities added a touch of spice to the news, and made the papers more readily salable.

In the general ferment religious ideas could not escape an overhauling, and this period was characterized by the partial collapse of old Puritan theology. Not the Puritan spirit, however, it should be noticed. That remained to help on the work of reform. But the approved Puritan dogma, such as predestination and infant damnation, gave way to a religion with something more cheerful to contemplate than an eternity of burning brimstone, or the lasting torment of the non-elect. If, according to the more strictly orthodox, religious reform went beyond the bounds of Christianity into Unitarianism, it passed those of common sense in the Church of the Latter Day Saints. Joseph Smith, fakir or prophet, depending on the point of view, published the Book of Mormon in 1830. After his murder, in 1840, the "Saints" went out into Utah, to open up the country around the Great Salt Lake.

At the same time various leaders were demanding prison reform, labor reform, temperance reform, the abolition of imprisonment for debt, the introduction of women's suffrage and of women's rights generally. Anti-Masonry was only one of the movements designed to overthrow something, while the common anti-profanity leagues were excellent illustrations of the popularity of reform through organization. Probably there were anti-tobacco leagues as well. Acting upon the principle that whatever is, is wrong, every reformer started

out to cut the world over according to his own pattern. In the beginning abolitionism was but one of the number of schemes designed to make the country better, ranking certainly not as the most important, but along with the temperance and women's rights movements.

It is hard to tell why there should have been so much effervescence at that particular time. Probably the universal zeal was one of the products of the American Revolution. In the thirties and forties the people in charge of affairs had, as children, listened to their grandfathers, as these old veterans retold the stories of the lively days of '76. Brought up in the atmosphere of rebellion, they were filled with a fierce impulse to attack something, anything, no matter what. If they sometimes jousted with windmills, they at least got the satisfaction that comes from activity.

THE ABOLITIONISTS

This may help to account for the emotional atmosphere in which the reformers worked, but it does not make the course of any one of them much clearer. What force drove Garrison to keep up for thirty years that tremendous flood of vituperation, and of passionate, seditious appeals for disunion which characterized his *Liberator?* The person who could answer that to the satisfaction of the behaviorist and the psychologist could also tell why Wendell Phillips turned his back upon his traditions, social surroundings, and friends, to aid Garrison, and why Theodore Parker, the clergyman, could preach the doctrine of violence and pride himself upon his success in breaking the laws of his country.

It is not enough to say simply that these men were so moved by the wickedness of slavery that they were compelled to work for its destruction. They knew nothing of slavery at first hand, because not one of them ever saw a plantation. Furthermore slavery had been an American institution for over two hundred years when Garrison came along, and never before the nineteenth century had there been such an extraordinary outcry against it as Garrison launched in his *Liberator*. Probably the extreme abolitionists were driven on by some combination of emotions, stimulated by causes largely within themselves. They happened to be abolitionists because that reform was attracting attention in the section where they lived. It is a fair assumption that if they had been raised in South Carolina or Alabama,

they would have been as active proponents of slavery as John C. Calhoun or William L. Yancey. Jefferson Davis and Abraham Lincoln were born within a stone's throw of each other, but one went south and the other into the Northwest.

GARRISON

Garrison's early life had been anything but comfortable and happy. His mother was a woman of strong convictions, shown when she persisted in joining the Baptist Church with the full knowledge that, when she did so, her father would turn her out of her home. She married a young ship captain, of roving disposition and an unfortunate liking for drink. According to one story, when he and some friends were celebrating his return from a long voyage, Mrs. Garrison threw the men bodily out of the house, with their bottles after them. The captain deserted his family after that, leaving home when William Lloyd Garrison was three years old. When the boy was six, his mother went to Baltimore, to get work, leaving him practically an orphan. Naturally a keen-minded lad, he picked up the essential beginnings of an education, and at the age of fifteen became a printer's apprentice, and a contributor to the paper on which he worked.

He began his career of reformer first as a temperance advocate. Then, under the influence of Benjamin Lundy, a Quaker abolitionist, he decided to devote his life to the cause of the slave. On January 1, 1831, he published in Boston the first number of *The Liberator*. In 1835 a mob of unappreciative citizens dragged him through the Boston streets.

Wendell Phillips, the orator, was a genuine New England aristocrat, with the best education which Harvard could provide. In his younger days he was so much of a conservative that, while in college, he led very successfully a movement to prevent the establishment of a students' temperance society. In 1835 he watched the mob drag Garrison through the streets of Boston. Even that spectacle did not arouse him, and it was not until after his marriage, in 1837, that he entered upon his abolitionist career.

Both Garrison and Phillips used the same methods: agitation and propaganda. They aimed to keep constantly before the public the most exceptional and revolting incidents of slavery, in order to arouse the feelings of the people at large. In the first number of *The Liberator*, Garrison proclaimed his purpose in the following words:

"I shall strenuously contend for the immediate enfranchisement of our slave population—*I will be* as harsh as truth and as uncompromising as justice on this subject—I do not wish to think, or speak, or write with moderation—I am in earnest—I will not equivocate—I will not excuse—I will not retreat a single inch, and I *will be heard.*"

Garrison was filled with the belief that slavery was a sin, or, in his own words, "a damning crime." With that relentless logic which is one of the chief attributes of the genuine crusader, he concluded that every slave owner was a criminal and a rascal. Concerning the Southerners he wrote:

"We would sooner trust the honor of the country and the liberties of the people in the hands of the inmates of our penitentiaries and prisons, than in their hands, for safe keeping. . . . They ought not to be allowed seats in Congress. No political, no religious co-partnership should be had with them, for they are the meanest of thieves, and the worst of robbers. We should as soon think of entering into a 'compact' with the convicts at Botany Bay and New Zealand . . . we do not acknowledge them to be within the pale of Christianity, of republicanism, or humanity."

This particular extract is typical of Garrison, for it reveals the nature of his mental processes. He was continually drawing logical conclusions from premises which had no foundation in fact, and assuming that both premises and conclusions were fact. Like all crusaders, he was not only dogmatic, but lacking in capacity to understand any problem which stirred his emotions. Time after time his comments on slavery and the South prove his utter ignorance of actual conditions.

Because the federal Constitution recognized the legality of slave property, Garrison would have overthrown the union. "We affirm the Union is not of heaven," he wrote. "It is founded in unrighteousness, and cemented with blood. . . . It is a horrible mockery of freedom." In 1843, he took the following as the motto for *The Liberator:*

"Resolved, That the compact which exists between the North and the South is a covenant with death and an agreement with Hell—involving both parties in atrocious criminality—and should be immediately annulled."

After the John Brown raid, although he himself was an out and out pacifist, he proclaimed "Success to every slave insurrection at the

South." In advocating slave uprisings and the murder of the southern whites, Garrison showed how completely the feelings of primitive man may dominate a person living in the midst of what civilization there is.

Phillips agreed with Garrison that the Union must be destroyed. With reference to the Constitution, he said: "When I look upon the crowded thousands, and see them trample on their consciences and the rights of their fellow men at the bidding of a piece of parchment, I say, 'My curse be upon the Constitution of the United States!'" Perhaps the character and quality of Phillips's judgment, as distinguished from his capacity for feeling, is best brought out in an article which he wrote for *The Liberator*, in 1860, entitled: "Abraham Lincoln, the Slave-Hound of Illinois." Lincoln was far too moderate to suit the tastes of the real abolitionists. They would not even vote for federal Congressmen or presidential electors, because that would be a recognition of the Union. Phillips gave up his law practice, because he could not take the oath to uphold the Constitution. None of these enthusiasts had the slightest comprehension of the problems involved in emancipation. To their minds there was no problem. Slavery was an evil, therefore abolish it.

Not all the North by any means agreed with Garrison, Phillips, and their friends about the Constitution and the laws, or even about abolition, but the abolitionist attitude toward slavery and toward the South became widespread. Those who knew nothing of the country or conditions south of Mason and Dixon's Line adopted as their own those ideas which were most vivid, and most persistently proclaimed.

As a result, far too many men in the North, for all practical purposes, lost their power of rational judgment when dealing with slavery, just as Garrison had already done. The whole thing became an emotional problem, and what should have been a state of mind became violent hysteria. Northern opinion was full of intense bitterness, just the sort of feeling that leads to trouble.

In the South, Garrison's work stirred up the same sort of feeling, directed to different ends. Maddened by Garrison's attacks, and convinced that he was representative of much northern opinion, southern agitators of the Garrison type took up the defense of slavery. They were just as bitter as their northern competitors, and they went just as far as Garrison in advocating the overthrow of the Constitution and the disruption of the union. Southern fervor became

just as violent as northern, so that it was more and more difficult for either side to listen to reason.

Perfectly simple ideas, baldly stated and constantly reiterated, if given a sufficiently wide circulation, no matter whether they are truth or falsehood, have a powerful fascination for the majority of mankind. They take hold of the individual easily, with no effort on his part, and they work directly upon his feelings. Given an issue which can be reduced to the most elementary terms, a real agitator can stir up a mob at any time. Between 1830 and 1860, the mob spirit was made to prevail in whole groups of the population.

The Civil War was not the result solely of secession. That was the immediate occasion, but it was the product of the irrational feeling which had been accumulating for years. Responsibility for the final break rests largely upon agitators like Garrison, Phillips, Quitman, and Yancey. Because of their work the problem of handling slavery was left to the emotions, rather than to reason.

In *The Mind in the Making*, Professor James Harvey Robinson gives a vivid explanation of the dangers in cutting loose from the restraints of reason. Civilization is a very recent acquirement of mankind, so new that it has not by any means superseded the traits and temperament which are almost infinitely older. These come to the surface, on various occasions, especially under conditions of emotional excitement.

To contemporaries the difference between the genuine reformer and the dangerous agitator is not always evident, nor is it for that matter to historians. The agitator is ordinarily sincere, full of the seriousness of his mission, and determined to make the evil he fights as vivid to others as it is to himself, but devoid of ability to judge calmly and dispassionately. With all of their zeal, it must be admitted that many of the abolitionists, including Garrison himself, were not any too well informed regarding the nature of society, or of the laws governing it. Because of their obvious shortcomings in this respect, it is at least possible that they were mistaken in their approach to the problem of slavery. That they hastened abolition is clear; it is equally evident that the work of all the agitators together, northern and southern, brought on the Civil War. According to various authorities in economics, slavery would have come to an end in a short time anyway. If that is true, the abolitionists and their southern counterparts drove the country into a useless war,

using the most expensive method of settling a question which might have solved itself. The expenses of the Civil War are still being paid, in the form of interest and pensions, and while the war abolished slavery, it did little to solve the negro problem. That still persists, in an acute form.

"If an ignoramus plays about in a chemical laboratory, we keep our distance, for we expect trouble as a result of ignorance of chemical substances and laws. Knowledge of the experimenter's good intentions or orthodoxy does not reassure us at all. But we easily permit the uninformed meddler to prowl about the structure of society, poking and tinkering, apparently in the belief that, provided his intentions are good, nothing but human weal can result. We are bound to learn, sometime, that powerful forces are at work within the societal range, and that ignorant tampering is even more dangerous here than elsewhere because so many more people have to endure the consequences." Professor Keller's *dictum* from an essay on "Societal Evolution" applies with peculiar significance to the period before the Civil War when the abolitionists and the anti-abolitionists were busy.

In order to make their work more effective, the abolitionists had a network of societies all over the North and West, with speakers and writers constantly at work, driving home in the minds of the people their own intense feelings regarding slavery. Reason had no chance against this torrent, and the whole country had to suffer the results of it.

There were many abolitionists, known as Non-Garrisonian, who did not agree with the famed leader in refusing to participate in national elections. These moderates were willing to accept small gains, hoping to work gradually toward complete emancipation. They also differed from the Garrisonians in having a comprehension of the difficulties in the way of any sudden overthrow of the southern labor and social system, and in the dangers of too much agitation.

In Congress, southern leaders demanded laws to prohibit the circulation of abolitionist pamphlets, newspapers, and books. Failing in this, they acted upon their own impulses, supported by the advice of Postmaster-General Kendall, and destroyed mail matter which seemed to them pernicious or dangerous. Congress became the center of lively contests between the antislavery and the proslavery forces. Petitions demanding abolition literally poured in. At one

time John Quincy Adams presented over five hundred. In 1836 the House adopted a rule to the effect that all petitions relating to slavery be laid on the table, without being printed or referred to committees. In 1837 a new rule was adopted, stating that petitions relating to slavery should not even be received. Deeming this a violation of the Constitution, which guaranteed the right of petition, John Quincy Adams led the fight to repeal the "gag rule." In 1844 he was successful, and it was rescinded.

With this sort of contest raging year after year the consideration of any question on its own intrinsic merits was virtually impossible. That was especially true in matters of national policy. The motives of every member of Congress were questioned by one side or the other, and every new issue had to be examined against the background of proslavery and abolitionist agitation. This worked with special effect when the possibility of annexing new territory appeared.

CHAPTER XXXVII

TERRITORIAL EXPANSION

From the signing of the Florida treaty in 1819 to the end of the War with Mexico in 1848 the problem of Texas was almost constantly before Congress, the various administrations, and the country at large. After that time it became fashionable for historians to subject the Texas policy of the United States to the severest criticism. Both the annexation of the province itself, and the war which followed were denounced as high crimes, committed by a great nation upon weak, unoffending, and defenseless Mexico. For a more reasonable interpretation of the dealing of the United States with Texas and Mexico scholars are deeply indebted to the researches of the late Professor George Pierce Garrison, and of Justin H. Smith.

TEXAS

Geographically, Texas is an integral part of the great central plain of the United States, and of the southern cotton belt. Historically it may have been a part of the Louisiana Purchase. No one ever knew definitely whether the United States acquired title to it in 1803 or not, because no boundary had been agreed upon. In 1819, in return for Florida, the United States relinquished all claim to Texas, and John Quincy Adams promptly tried to buy the country back.

American interest in Texas was a product of the widening field of cotton culture. As the Southwest gradually filled up, pioneer planters began to try their fortunes beyond the Sabine River. The fact that there was an international boundary to be crossed did not bother them; indeed for a time it was a distinct advantage. Neither Spain nor Mexico had ever occupied Texas, and the Mexican government seemed anxious to have the soil cultivated. Large land grants were promised to promoters who would bring in a certain number of settlers. Moses Austin for example received a grant for a colony, under which each head of a family would receive approximately four thousand five hundred acres of land. The same liberal terms were included in grants to other *empresarios*. In addition to the hundreds of thou-

sands of acres given away, the Mexican government was prepared to sell some of the best cotton land in Texas for twelve and a half cents an acre, as compared with a dollar and a quarter for similar land in the United States.

The Austin grant, with Stephen Austin in charge, was settled in 1822. In less than seven years twelve thousand colonists came into Texas from the United States, and by 1844 over fifty thousand had settled there. For this heavy immigration the spendthrift land policy of the Mexican government was primarily responsible. Just as the Devil entered the Ark in Kipling's *Legend of Evil*, the Americans went to Texas, on the owner's invitation, and from the Mexican standpoint, once in, they proved just as embarrassing to the host. It was impossible for any large group of Americans from the United States to live comfortably under Mexican control, because the two types of civilization were hopelessly dissimilar.

The history of Mexico as an independent nation is a story of successive revolutions, of which there were eight distinct ones in eighteen years. In 1824 the Mexicans had adopted a federal constitution, based in large measure upon that of the United States. Under this Texas and Coahuila formed a single state. The first president by some miracle managed to remain in office for the full term of four years. There were revolutions in 1828, 1829, and again in 1832, the last of which brought Santa Anna into power. It was apparent to any observer that the government was at the mercy of almost any revolutionary leader, and that it could neither maintain order at home nor fulfill its obligations abroad.

By 1827, following a small insurrection of some of the American colonists in Mexico, the Mexican government issued orders prohibiting any further American immigration. This order was not enforced. In 1829, the government of Mexico declared slavery abolished, but because of Austin's protest, the state of Texas was exempted from the operation of the order. Because of the conviction that cotton could not be grown profitably without slave labor, the inauguration of this new policy created additional ill-feeling between the two groups. In 1830, a more determined effort was made to prevent any further American immigration. Mexican decrees forbade any person to enter the country from the north, without a Mexican passport, and prohibited any importation of slaves into any part of Mexico, Texas included. Another order specifically prohibited any more

Americans from settling in Texas. Troops were sent in to enforce the decrees, recently arrived immigrants were expelled, and prospective settlers were stopped at the border. At the same time, the Mexican authorities planned to colonize Texas with ex-convicts.

After Santa Anna came in there was a temporary relaxation in the enforcement of these orders. Then, in 1835, he became even more severe than his predecessors. Santa Anna declared himself dictator, and in doing so he completely ignored the constitution. With an arbitrary executive order he destroyed the rights of the states, and placed them under governors appointed by himself. Next he announced that the militia should be reduced to the proportion of one man for every five hundred in the population, and he ordered all inhabitants not enrolled in the militia to give up their arms. Compliance with this arrangement would have left the Americans at the mercy of the Indians, and of the ex-convicts, recently sent into Texas in accordance with the plan already announced. The disarmament scheme practically put an end to any hope of even a working agreement between Mexicans and Texan colonists. If there was any one absolute essential in pioneer life, it was the rifle, as Santa Anna might have known. The government of the United States would never have been able to enforce a decree of that sort on any of the various frontiers, certainly not in Tennessee or Kentucky before 1800, in Missouri before 1820, or in Kansas in 1855.

TEXAN INDEPENDENCE

It might have been more fitting, from the standpoint of abstract ethics, for the Texans to submit to Santa Anna, but the frontier had a code of its own. No group of American pioneers placed in similar circumstances would have yielded. Or, they might have returned to the United States. Again the pioneer code comes in. No true frontiersman ever went back, certainly not in the face of any such danger as that in Texas. One other course was open, namely to fight, something which the pioneers were always ready to undertake, if necessary. Before the final break, the Texans announced their readiness to comply with the provisions of the constitution, which Santa Anna had destroyed, but they made it plain that they would have nothing to do with him in his capacity of dictator, except to fight him. In March, 1836, the Texans declared their independence, and established a republic.

In the war that followed, there were a few spectacular episodes in which every Texan takes pride. As the Mexican forces were about to capture the Texas town of San Antonio, the defenders, one hundred and eighty in number, shut themselves up in the Alamo, and held off three thousand Mexicans for a week. Every man of the defenders was killed. The next development filled the Texans with a hatred of the Mexicans even more bitter than the feeling before independence. Mexican forces captured the town of Goliad, and a few days later, massacred the Texans in cold blood. At that point Sam Houston collected the Texans, and after a brilliant attack upon the Mexican position on the San Jacinto River, inflicted a decisive defeat upon them. Two days later some Texan scouts found Santa Anna hiding in the grass. It speaks well for Houston that he prevented his men from giving the Mexican chief, who was responsible for the massacre at Goliad, what he deserved. Thanks to Houston's clemency, he was allowed to return to Mexico, after he had signed a treaty practically recognizing the Rio Grande as the southwestern boundary of Texas. Once he was free, characteristically enough, he repudiated his agreement, on the ground that it had been made under duress.

Once independence had been achieved, the Texan government sent a commission to the United States, with an offer of annexation. Jackson refused to consider the offer, although at the very end of his term he recognized the independence of the new nation.

Because of the bearing of the subsequent annexation of Texas upon the war with Mexico, it is necessary to find out if possible whether Texas had any right to rebel, and whether or not the United States was in any way officially implicated in the revolution. It is impossible to lay down any dogma about revolution. Every revolution, successful or otherwise, is always justified by the revolutionists, and condemned by the other side. It may be worth noting that Mexican independence was based upon revolution, against grievances no more serious than those under which the Texans had labored. When it came to arguing about the right to rebel, the Mexicans logically could say little.

As for the second question, there was a belief at the time that the United States had encouraged the rebellion, and of course the Mexicans believed this. Even American Congressmen asserted that the failure of Mexico to reëstablish her authority was due to help given by the government of the United States. According to Justin H.

Smith, these charges have no foundation in fact. The United States lived up to its obligations as a neutral in most scrupulous fashion. Moreover, the theory that the rebellion had been instigated from Washington is absurd on its face. The Mexicans furnished all the impulse that was necessary.

It is true that American pioneers continued to cross the line, during the rebellion, as before, but the federal government has no authority to prevent citizens of a state from leaving the country. They carried arms, and American merchants sold arms, to both sides. But that is not a violation of official neutrality. The American government was in no way concerned with the rebellion.

Mexico, however, refused to recognize the independence of Texas, and although she could not possibly recover the state, she could make its citizens uncomfortable by occasional threats.

Between 1836 and 1845 the Texan government tried various diplomatic experiments. In 1838, it withdrew the offer of annexation which it had made to the United States, in order to have a free hand in dealing with other powers. France, and Great Britain more particularly, were deeply interested in Texan prospects. The new republic had enough cotton land to supply raw material for the English factories. Thus, by encouraging the Texans, the British might free themselves from their dependence upon cotton from the United States. Moreover, Texas might grow by occupying New Mexico and California. If that should come to pass, the United States might find a dangerous rival in the Southwest, supported by Great Britain. France recognized Texan independence in 1839, Great Britain in 1842. Moreover, responsible English officials made it clear that they were opposed to any attempt of the United States to annex Texas. But at the time, the British government was in no position to block the United States by force, so no serious difficulties developed.

ANNEXATION

In the meantime the United States, under Tyler, was seriously considering annexation. In April, 1844, a treaty of annexation was signed, but it met defeat in the United States Senate. The reason for that action, absurd as it now seems, was slavery. All abolitionists, and many milder antislavery leaders were keenly opposed to the admission of any more slave territory. President Tyler then advised Congress to provide for annexation by joint resolution.

Before this was done, the election of 1844 had taken place. In the Democratic convention Robert J. Walker, an avowed annexationist, prevented the nomination of Van Buren, and secured that of James K. Polk. The Whigs tried their fortunes with Henry Clay. Basing his campaign entirely on annexation, which he heartily favored, Polk secured a plurality over Clay, and a heavy electoral majority. On March 1, 1845, three days before Polk was inaugurated, Congress passed the joint resolution providing for annexation.

According to this Texas was to be admitted to the union on the following terms: any boundary questions were to be subject to adjustment by the United States government; Texas was to cede to the United States all public buildings, ports, and harbors, and to keep its debts, with its public land, as a means for paying them. With the consent of the inhabitants, additional states might be formed out of Texas.

The majority of Texans desired annexation, and in June the Texas Congress voted to accept the terms. In December, 1845, the Congress of the United States admitted Texas into the union as a state.

Under international law, the United States was justified in taking that action. Texas had been independent for nine years, during which time Mexico gave proof of inability to reëstablish her authority in the province. As a sovereign nation, Texas had as much right to dispose of her own destinies as the United States had in 1792, nine years after winning independence. If Texas wished to join the United States, that government had a perfect right to admit her.

OREGON

Just about a year after the annexation of Texas, the United States and Great Britain finally reached a satisfactory settlement of the Oregon question. This was the region, almost imperial in extent, lying between the Rocky Mountains and the Pacific, and bounded on the north and south by the parallels 42° and 54° 40′. Spain had originally claimed the whole Pacific coast, but she never settled north of California. Russia at one time claimed the coast as far south as the site of San Francisco, and in 1821 as far as the fifty-first parallel. From 1790 on England had a claim to the territory, based on the Nootka Sound Convention of 1790, signed by England and Spain. The claims of the United States dated back to 1792, when Captain

Gray had explored a part of the Columbia River. In 1805 the Lewis and Clark expedition, sent out by Jefferson to look over the Louisiana Purchase, followed the Columbia toward its mouth. In 1811 John Jacob Astor, a New York fur merchant, founded the trading post of Astoria. Although the British captured this during the War of 1812, the Treaty of Ghent restored it to the United States. By the Florida Treaty of 1819, Spain surrendered all her rights north of California to the United States. Left in joint possession, the United States and Great Britain had not been able to come to any agreement concerning the division of the territory. In 1818, the two governments signed a treaty providing for joint occupation for ten years. During that time subjects of both powers were to be free to use the territory on equal terms. In 1824 the Russians relinquished their claims to any of the region south of 54° 40′. In 1826, Great Britain and the United States renewed their negotiations, in order to establish a satisfactory dividing line. The United States suggested the extension of the forty-ninth parallel, the line between Canada and the United States from the Lake of the Woods to the Rockies, but the British refused to agree. The following year the arrangement for joint occupation was continued indefinitely, with the understanding that it might be terminated by either party on one year's notice.



THE OREGON COUNTRY

During this period the British government left Oregon to the Hudson Bay Company. Under its auspices widely separated fur-trading posts were established, and no settlement of any kind was permitted within one hundred miles of any of these stations. The Americans might have done the same thing, with equal right, but there was no company sufficiently interested. To most people Oregon

was too far off to bother with. Even Thomas Hart Benton of Missouri, champion of the West though he was, prophesied that the Rockies would be the permanent western boundary of the United States. During the period of joint control there were probably ten times as many British and Canadians as Americans in Oregon.

In 1836 some American missionaries, H. H. Spaulding and Marcus Whitman, began work among the Oregon Indian tribes. Two years later the movement began that finally forced a decision regarding the boundary between American and British Oregon. Senator Lewis F. Linn of Missouri tried to impress upon his colleagues the importance of Oregon. Late in 1841 he introduced a bill, providing for a line of forts from Missouri to Oregon, and for the grant of a whole section of land to every male emigrant eighteen years of age or over. In 1843 this Linn Bill passed the Senate, by a vote of twenty-four to twenty-two, but the House failed to pass it. Confidently expecting that it would go through, and stimulated by the prospect of free land, a thousand pioneers moved into the territory in 1843. In 1842 Marcus Whitman returned to Boston, the headquarters of his Missionary Society, to urge his superiors not to abandon the work in Oregon. Successful in his appeal, he went back to Oregon the following year, with one of the bands of emigrants. Years after Whitman's death some highly imaginative person invented the story that Whitman's journey east had been for the purpose of laying the Oregon situation before President Tyler, in an effort to save the territory for the United States. According to this story, Whitman made a masterly appeal, which deeply affected Tyler, and the federal government began to encourage emigration. Such is the famous "Whitman myth," which makes Whitman the savior of Oregon for the United States. Long since abandoned by historical scholars, it was never entirely given up by the Congregational Board of Home Missions.

The Democratic platform of 1844 asserted that the American title to the whole of Oregon was "clear and unquestionable," and urged the reoccupation of Oregon, as well as the reannexation of Texas. By that time American interest in Oregon was developing, and the slogan of "fifty-four forty or fight" became popular. Although President Polk had been inclined to favor the "whole of Oregon" he authorized his Secretary of State, Buchanan, to renew the offer of the forty-ninth parallel. The British minister refused this. Polk then

advised Congress to permit him to give the necessary one year's notice for terminating the joint agreement.

That was done, and due notice was transmitted to the British government. In June, 1846, the British minister in Washington submitted the draft of a proposed treaty, providing for the forty-ninth parallel to the strait, but giving Vancouver to Great Britain. Polk felt that the treaty was fair, but he asked the Senate for advice before formally submitting it to that body. Its recommendation was favorable. The treaty was then signed, and the Senate ratified, by a vote of forty-one to fourteen.

When Congress proceeded to organize the Oregon territory, an attempt was made to prohibit slavery there. The first bill failed, and a new one was introduced, providing for a nonslave territory, on the ground that it was north of the Missouri Compromise line, 36° 30′. That failed, as did a third Oregon bill, which would have let the settlers there decide the question for themselves. A fourth bill, which finally passed, left Oregon a free territory, and Polk signed the measure, giving as his reason the fact that it was north of the Compromise line.

CHAPTER XXXVIII

THE WAR WITH MEXICO

While the abolitionists were denouncing the annexation of Texas because it meant the addition of another slave state, the Whigs were doing the same thing, some of them because they saw in expansion an additional source of trouble between the sections, some because the step was taken under Tyler's direction. Elected as a Whig, he was looked upon as a deserter from his party, and whatever he did was greeted with a storm of protest. But the abolitionist and Whig denunciations over Texas were nothing as compared with their uproar over the war with Mexico. From that day almost to this, Polk has been variously described as a scoundrel and a robber.

MEXICAN HOSTILITY

The fundamental cause of the war was the annexation of Texas. Mexico had steadily refused to recognize the independence of her lost province, and with at least the virtue of consistency she denied the right of the United States to her new acquisition. In 1843, nearly two years before the joint resolution passed Congress, Santa Anna served the following warning upon the United States: "the Mexican government will consider equivalent to a declaration of war against the Mexican Republic the passage of an act for the incorporation of Texas into the territory of the United States; the certainty of the fact being sufficient for the immediate proclamation of war." Later in the same year the Mexican minister in Washington declared that "if the United States should, in defiance of good faith and of the principles of justice . . . commit the unheard-of act of violence of appropriating to themselves an integrant part of the Mexican territory, . . . he will consider his mission ended, seeing that, as the Secretary of State will have learned, the Mexican Government is resolved to declare war so soon as it receives information of such an act."

After Congress had passed the joint resolution, the Mexican minis-

ter referred to it as "an act of aggression the most unjust which can be found recorded in the annals of modern history." With this parting shot, on March 6, 1845, the Mexican angrily broke off diplomatic relations and went home. The Mexicans were thoroughly aroused over the question, and that element which passed for public opinion was determined upon war. In view of the formal statements, of which those quoted are samples, Mexican newspapers assumed that a state of war actually existed. The Mexican Congress passed measures for increasing the army, specifically to resist annexation, and the administration advised a declaration of war just as soon as the process of annexation should be completed.

That was the situation which Polk had inherited from his predecessor. Even if he had wished to agree with the Mexican contention, the new President was obliged to look upon annexation as an accomplished fact. Congress had done the work before he had come into office, and he could do nothing but enforce the law.

There were other difficulties, in addition to Texas, which had made for ill-feeling between the two governments. Various American citizens were clamoring for the payment of claims against Mexico. These, the product of the chronic state of disorder in Mexico, were based upon property destroyed or seized, and upon lives lost. A joint commission had been at work in an attempt to decide just how much Mexico owed on this account. Claims amounting to two million dollars had already been declared valid, and there were at least as many more which had not been adjusted. Mexico had hardly made a beginning in settling these, and it seemed that after each revolution the ability, if not the inclination, to pay steadily decreased. On her side Mexico had a grievance against the United States on account of help given to Texans by private citizens from across the border.

In the spring of 1845 there was no dispute over the Texas boundary. Mexico still insisted that she rightfully owned the whole of Texas, and that the United States had no rights beyond the Sabine, the southwestern boundary of Louisiana. The Texans claimed the Rio Grande as their southwestern boundary, and Santa Anna had admitted this claim in his treaty of 1836, the one he repudiated because he had signed it under compulsion. Subsequently the Mexicans professed to believe that the Nueces separated their territory from Texas, but that was a purely *ex post facto* inspiration on their

part, brought forward in an effort to save what they could out of the wreck. See map, 410.

Again Polk was placed in a situation which left him little freedom of choice or action. In annexing Texas the United States had incurred certain moral obligations to the citizens of the Lone Star State, one of which was to protect them against Mexican aggression. Polk interpreted this to mean guaranteeing them the boundaries they had claimed as an independent nation.

In order to guard the Texans, Polk prepared to send General Taylor to the border. He received his preliminary orders on May 28, and on June 15, he was directed to advance to a point on or near the Rio Grande, but he was to refrain from any action, except defensive, unless Mexico formally declared war. In January 1846, ordered to occupy a point on the Rio Grande, he moved to Point Isabel, nearly opposite Matamoras. Shortly after that, the Mexican government for the first time made its declaration concerning the Nueces boundary.

THE SLIDELL MISSION

Under the circumstances it is hard to see how war could have been avoided. Mexico had insisted that she would not permit Texas to go without a fight, and had broken off diplomatic relations. The United States was bound to safeguard the Texans. In spite of the unfavorable outlook, Polk made a determined effort to settle the trouble without war. He had a number of reasons for his desire to reopen formal negotiations. For one thing, in breaking off relations two days after he was inaugurated, Mexico had given him no opportunity to show what he could do. Furthermore he wanted to collect the claims which were due, and to secure an agreement concerning the Texas boundary. More important still, he wanted a representative at Mexico City to be on the watch for possible European activities in New Mexico, California, or both.

In March 1845, in less than a month after the Mexican minister had partly satisfied his injured dignity by quitting Washington, Polk sent an unofficial agent, one Parrott, to sound the Mexican administration regarding its probable attitude toward an American minister. Parrott was ordered to impress upon the mind of President Herrera the desirability of restoring friendly relations, and to announce that Polk would gladly send a minister, provided one would be received. In case one were sent, so Parrott informed Herrera, there would be no

discussion of the principles of the annexation of Texas; that was a closed issue. But concerning all other outstanding questions, including the delimitation of the Texas boundary, the United States was ready to negotiate.

Herrera, who differed from the majority of Mexican officials in desiring peace, told Parrott that an American minister would probably be received. On the strength of Parrott's report, Polk laid the question before his Cabinet, and secured its approval of his plan for reopening negotiations. The minister chosen for the mission was John Slidell of New Orleans.

After deciding upon Slidell's appointment, Polk got word of new warlike preparations in Mexico. Because of these, he determined to secure from the authorities there a more definite promise to receive a diplomatic representative. In November, 1845, Polk received dispatches stating that the Mexican government had officially announced that it would receive a minister from the United States.

The purposes of the Slidell mission, as outlined in the minister's instructions, were first of all, and primarily, to reëstablish friendly relations between the two governments. Next, to take up the subject of claims, and if possible to arrange for a satisfactory settlement of them. This might be done, Slidell was informed, at the same time the Texas boundary was decided, by means of a cession of Mexican territory to the United States. Polk suggested that, if this could be done without endangering the success of his mission, Slidell try to purchase Upper California, and New Mexico. For this territory, the United States would pay anywhere from fifteen to forty million dollars, in addition to assuming the claims. Finally, Slidell was ordered to be on his guard against the schemes of foreign powers, which might turn Mexico against the United States, and to prevent the cession of California either to England or to France. In a letter supplementary to the instructions, Buchanan, Secretary of State, specifically ordered Slidell to drop the proposal for buying territory, if it seemed likely to stand in the way of securing the Rio Grande line for Texas.

Slidell landed at Vera Cruz on November 30, 1845. At that time the Herrera government was facing revolution, and the vocal portion of the Mexican population was clamoring for war. Because of this unfortunate situation, President Herrera had to violate his promise,

and on December 30, he notified Slidell that he could not be received.

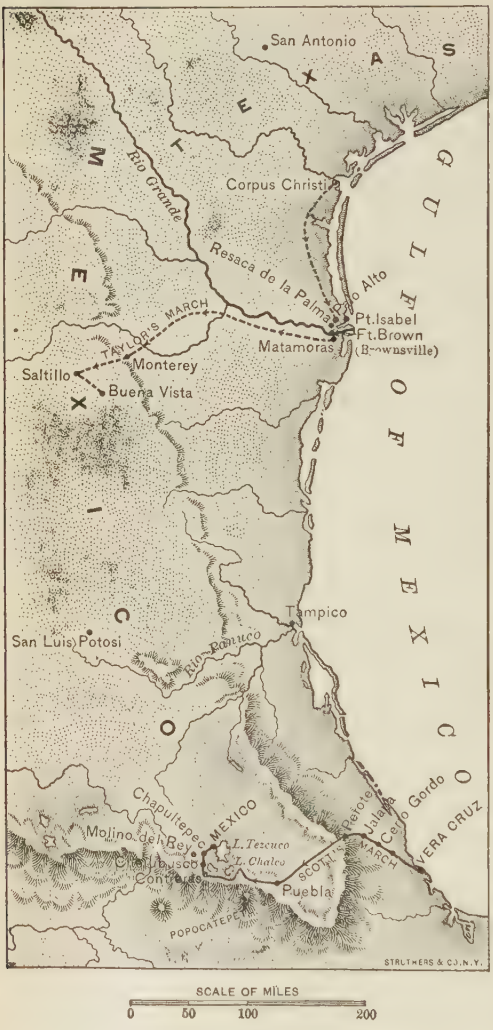
Not even the refusal to reopen diplomatic relations could save the Herrera government. Accused of "seeking to avoid a necessary and glorious war," it was overthrown by a group of Santa Anna's friends. The dictator himself was then in exile—whence he returned later, with the connivance of the United States—but he selected as president one Paredes. The new incumbent of Mexico's most unsteady executive chair took an oath to defend the claims of Mexico to all territory as far north as the Sabine River, in other words, to all of Texas. With the new administration founded on a pledge of war against the United States, Polk's hope of reaching a satisfactory outcome by negotiation completely vanished.

During the early spring of 1846, Polk was working toward the conclusion that the time had come to take a high hand with the Mexicans. He had made an honest effort to conciliate that government, "had forborne," as he put it, "until forbearance was no longer a virtue or patriotic." During the last week in April and the first in May Polk and his Cabinet devoted most of their attention to the Mexican situation. Their conclusion was that the President should ask Congress to declare war, and that the message for that purpose should be ready on Tuesday. That evening, after the Cabinet meeting, Polk learned that on April 24, a detachment of Taylor's men had been ambushed and captured by Mexican forces, operating east of the Rio Grande. At another Cabinet meeting that evening, it was decided to send the war message on the following Monday, May 11.

THE WAR WITH MEXICO

In his request for a declaration of war, Polk summarized the story of the Slidell mission, showing how his efforts to settle the difficulties had been nullified by the refusal of the Mexicans to meet him half way, and at the same time making plain the fact that Mexico had made no counter proposal. Then he referred to Taylor's presence on the Rio Grande, described the attack upon his scouting party, and made the statement that "Mexico has passed the boundary of the United States, has invaded our territory and shed American blood upon the American soil." War therefore existed "by act of Mexico herself." Polk concluded with an appeal to Congress to provide for war, and to enable the President to prosecute it vigorously.

The vote on the declaration was considerably nearer unanimity than had been the case in 1812: one hundred seventy-three to fourteen in the House, forty-two to two in the Senate.



THE MEXICAN WAR

Many Whigs questioned the truth of Polk's statement that hostilities had occurred on American soil. After a long discussion on the point, Abraham Lincoln, representing the Springfield district of Illinois, introduced a series of resolutions in the House, the substance of which was to accuse the President of falsehood. Later, in a letter to his law partner, Lincoln set forth his belief that "the war was unnecessarily and unconstitutionally commenced by the President." This interpretation was based upon the belief that Taylor's position opposite Matamoras was in an old Spanish settlement, which had never been properly a part of Texas.

The question naturally arises: what would Lincoln have done, had he been President in 1846, confronted by a situation which had become serious before his inauguration? Would he have decided with Mexico against Texas? Possibly, but no one can tell. What he said and wrote as a member of the Whig opposition affords

no information concerning what he would have done had he been in a responsible position. It is a curious and interesting speculation to decide just what any one but Polk, in exactly the same circumstance, would have done. Probably the outcome would not have been substantially different, no matter who had been president. Justin H. Smith reached the conclusion that the war with Mexico "came to pass as logically as a thunderstorm."

In the war itself the United States troops were always outnumbered but they were so superior in personnel and in equipment that they were well protected against odds. The contest was not an easy one. The Americans were generally victorious, but they had plenty of heavy fighting and the losses were severe. After the declaration of war, Taylor advanced toward Mexico. In two battles, Palo Alto, and Resaca de la Palma, he drove the Mexicans out of their positions, and across the Rio Grande. In September Taylor won a three day battle at Monterey, and in November he captured Saltillo, the capital of Coahuila. On December 29, he occupied Victoria, the capital of Tamaulipas.

In the meantime the administration decided to land an expedition at Vera Cruz, under the command of General Scott, for the purpose of capturing the city of Mexico. Some of Taylor's men were taken for the new campaign, and Taylor submitted a series of complaints, alleging lack of support and ill-treatment, which the Whigs were only too glad to use. Santa Anna, again in Mexico, learned of the Vera Cruz expedition, and on the strength of reports of Taylor's weakness, he made an attempt to annihilate the American forces. Moving north with more than twenty thousand men, he attacked Taylor with about five thousand, at Buena Vista. Taylor won a brilliant victory, and with it the war in northern Mexico was concluded.

In March, 1847, Scott's forces were landed at Vera Cruz. On April 17 and 18, at Cerro Gorde, Scott's army of nine thousand inflicted an overwhelming defeat upon some thirteen thousand Mexicans, who had, in addition to their superior numbers, a distinct advantage in position.

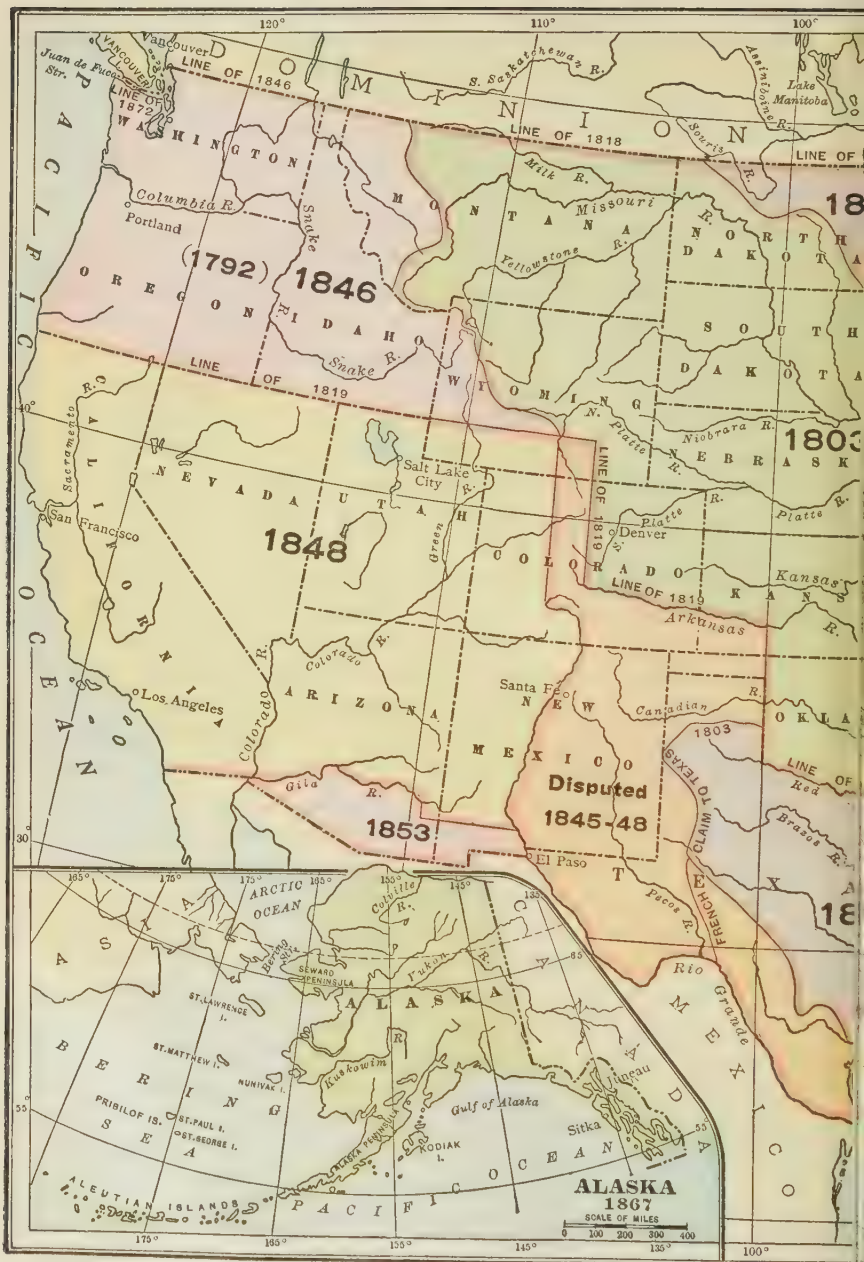
As Scott moved on toward Mexico City, Polk sent down another diplomatic official in the person of N. P. Trist, of the State department. His instructions, regarding terms, were practically the same as those given to Slidell, who had been kept ready to begin peace

negotiations during the first year of the war. The chief difference was that Trist was to pay five million dollars less for the territory Polk desired to get, namely New Mexico and California. Trist's arrival in Mexico precipitated an unseemly quarrel with Scott, but the two men eventually reached an understanding and worked together.

On August 24, 1847, after the Mexicans had been beaten in a series of battles near Mexico City, an armistice was signed, and peace negotiations were begun. But the Mexicans refused to come to terms, and when reports of the proceedings reached the President, he sent orders for Trist's recall. Unable to reach an agreement, the two armies resumed hostilities, with the result that on September 14, Scott occupied Mexico City. Santa Anna abdicated,—not permanently, however—and his successors began negotiations with Trist. In spite of his recall, Trist went ahead on the basis of his original instructions, and on February 2, 1848, the commissioners signed the Treaty of Guadalupe-Hidalgo.

Before this stage had been reached, United States forces had occupied New Mexico and California. In June, 1846, General S. W. Kearney was ordered to proceed to California by way of Santa Fe. With only eighteen hundred men Kearney marched upon Santa Fe, defended by a force of four thousand Mexicans, but the defenders disappeared on reports of his approach. After organizing a temporary government there, he started for California, with three hundred men. In October, hearing that California was already in the hands of American forces, he sent two thirds of his detachment back to Santa Fe. After a battle with the Mexicans he reached San Diego in December.

The United States navy had done the greater part of the work in occupying California. This province had a few scattering Spanish settlements all within a strip of fifty miles in width, with a population of perhaps ten thousand, exclusive of Indians. There was little if any sign of loyalty to the authorities in Mexico, and the territory was in a position to be had for the taking. Various rumors concerning possible English or French aggression were disturbed the authorities in Washington, and the determination to seize it was made in part on the strength of those reports. In July Commodore Sloat took possession of Monterey and shortly afterward one of his captains occupied San Francisco. Other points in northern California were taken with practically no resistance. In August Commodore Stock-


DOMINION
PACIFIC OCEAN
Vancouver
LINE OF 1846
Juan de Fuca Str.
LINE OF 1872
WASHINGTON
Columbia R.
Portland
Snake R.
(1792) 1846
OREGON
IDAHO
LINE OF 1819
Sacramento R.
CALIFORNIA
San Francisco
Los Angeles
NEVADA
UTAH
1848
Salt Lake City
Green R.
Colorado R.
ARIZONA
Gila R.
1853
S. Saskatchewan R.
Assiniboine R.
Lake Manitoba
LINE OF 1818
Souris R.
Milk R.
Missouri R.
MONTANA
Yellowstone R.
NORTH DAKOTA
SOUTH DAKOTA
WYOMING
N. Platte R.
Niobrara R.
1803
NEBRASKA
Platte R.
Denver
COLORADO
Kansas R.
Arkansas R.
Canadian R.
NEW MEXICO
Disputed 1845-48
El Paso
Pecos R.
FRENCH CLAIM TO TEXAS
1803
LINE OF
Red R.
Brazos R.
Rio Grande
MEXICO
ARCTIC OCEAN
Colville R.
Buckland R.
SEWARD PENINSULA
Yukon R.
ALASKA
St. LAWRENCE I.
ST. MATTHEW I.
NUNIVAK I.
Kuskokwim R.
BERING SEA
PRIBILOF IS.
ST. PAUL I.
ST. GEORGE I.
Gulf of Alaska
Juneau
Sitka
KODIAK I.
ALEUTIAN ISLANDS
PACIFIC OCEAN
ALASKA
1867
SCALE OF MILES
0 100 200 300 400
120°
110°
100°
40°
30°
175°
165°
155°
145°
135°


90°
80°
70°
C A N A D A
Lake Nipigon
Lake of the Woods
L. Superior
Ottawa R.
L. Nipissing
Quebec
St. Lawrence R.
Montreal
U.S. CLAIM
LINE OF 1783
R. St. John
BRITISH CLAIM
M A I N E
Lake Champlain
VERMONT
NEW HAMPSHIRE
MASSACHUSETTS
CONNECTICUT
Boston
New York
Hudson R.
NEW JERSEY
Delaware R.
Baltimore
Washington
Philadelphia
Pittsburgh
PENNSYLVANIA
L. Ontario
Buffalo
NEW YORK
L. Erie
L. Michigan
L. Huron
Detroit
Cleveland
Columbus
O H I O
Cincinnati
Ohio R.
Louisville
Indianapolis
Wabash R.
Chicago
Milwaukee
WISCONSIN
Mississippi R.
St. Paul
Des Moines R.
I O W A
ILLINOIS
St. Joseph
Kansas City
St. Louis
MISSOURI
INDIANA
WEST VIRGINIA
VIRGINIA
James R.
Chesapeake Bay
C. Hatteras
1783
KENTUCKY
Cumberland R.
TENNESSEE
NORTH CAROLINA
SOUTH CAROLINA
Memphis
Tennessee R.
ARKANSAS
Little Rock
Atlanta
Charleston
ALABAMA
GEORGIA
Savannah
Alabama R.
Mississippi R.
Yazoo R.
MISSISSIPPI
LOUISIANA
SPANISH CLAIM TO 31°
LINE OF 1795
1810-13
FLORIDA
New Orleans
Galveston
1819
G U L F O F M E X I C O
A T L A N T I C O C E A N
BAHAMA ISLANDS
TROPIC OF CANCER
Havana
C U B A
40°
30°
TERRITORIAL GROWTH OF THE UNITED STATES
SCALE OF MILES
0 50 100 200 300 400 500
ngitude West from 90° Greenwich
80°
WILLIAMS ENG. CO. N.Y.

ton, Sloat's successor, seized Los Angeles. Just before Sloat landed, the so-called Bear Flag revolt took place, in which Captain John C. Frémont, topographical engineer of the United States army, was concerned. He did not start it, but he practically assumed command of the rebels. This small scale revolution, aimed at Mexican authority, was transformed into a step toward the extension of American control over all of Upper California.

When Kearny arrived from New Mexico, he proceeded to carry out his orders, with reference to organizing a provisional government. At first Frémont and Stockton both stood in his way, but Kearny was finally successful in his determination to take charge of the work. Frémont's whole course in California was somewhat obscure at the time, and has been the occasion of various disagreements among historians ever since. Because of his opposition to Kearny he was court-martialed, found guilty of mutiny, and sentenced to dismissal. Polk remitted the sentence, but Frémont resigned.

During the whole war the effectiveness of Polk's leadership was menaced, at times seriously, by jealousy and friction between high civil and military officials. Scott and Taylor were both Whigs, and Polk disapproved of them. There is no doubt that Scott was indiscreet in putting some of his severe criticisms of the President into writing, and Polk may have been justified in his feeling that, undeniably able as Scott was, he was temperamentally unfitted to serve that particular administration.

THE TREATY OF GUADALUPE-HIDALGO

The Treaty of Guadalupe-Hidalgo gave the United States the Rio Grande boundary for Texas, together with New Mexico and Upper California, the present southwestern section of the United States. In return for this cession the United States assumed the claims of its citizens against Mexico, and paid in addition the sum of fifteen million dollars. Although Polk was both surprised and exasperated to find that Trist had negotiated the treaty in spite of his recall, he decided to accept it. In March, 1848, it was ratified by the Senate, by a vote of thirty-eight to fourteen.

In view of the large measure of responsibility of Mexico herself in forcing the war, of popular feeling in various sections of the United States, and of conditions in Mexico, the United States might reasonably have imposed much more severe terms. Mexico was not very

thickly populated, and its government, thanks to the long series of revolutions, was little more than a memory. Moreover most of the strategic points were in the hands of American armies for several months, and American forces held the capital. Had that situation developed at any time after 1898, especially after the precedent of the Philippines, there is little doubt that the United States would have kept the whole country.

In the United States there was a widespread, but poorly organized feeling that Polk ought to keep all of Mexico. This conviction was especially strong in New York and in parts of the Middle West. Resolutions adopted by public meetings, newspaper articles, opinions of army and navy officials, and assertions of numerous congressmen all united in demanding the whole country. The following quotation from a statement in the New York Evening Post is typical of this state of mind:

"Now, we ask whether any man can coolly contemplate the idea of recalling our troops from the territory we at present occupy and thus by one stroke of a secretary's pen resign this beautiful country to the custody of the ignorant cowards and profligate ruffians who have ruled it the last twenty-five years. Why, humanity cries out against it. Civilization and Christianity protest against this reflux of the tide of barbarism and anarchy."

By January, 1848, agitation in favor of keeping all of Mexico was well under way, and with a little more time it might have become formidable. What would have happened if Trist's treaty had not arrived at this point no one can tell. Its appearance, and the President's determination to accept it, prevented the demand from becoming imperious. Polk himself had decided not to annihilate Mexican sovereignty, and ratification of the treaty brought the question to an end.

The Whigs, northern and southern alike, opposed the project of taking the whole country, as did John C. Calhoun, so not all Southerners favored indefinite expansion in the interests of slavery. As a matter of fact the demand for western expansion, for the fulfillment of the "manifest destiny" of the United States, was as much a western as a southern cry.

THE WILMOT PROVISO

Because of the tense feeling aroused by the abolitionist crusade, it was inevitable that expansion and slavery should be discussed together. Texas would certainly be a slave state, a prospect which many northern Democrats viewed with disfavor. They had been induced to approve the project of annexing Texas by the promise of the southern Democrats to work for the reoccupation of the whole of Oregon, and a bargain to this effect was made in the Democratic convention of 1844. When the Oregon issue came up, Calhoun and a number of other prominent southern Democrats supported Polk in his policy of a division along the forty-ninth parallel. Exasperated at what they regarded as Calhoun's duplicity and breach of faith, the northern Democrats waited for a chance at revenge. This came in 1846, with Polk's appeal to Congress for an appropriation of two million dollars to buy additional Mexican territory. On August 8, 1846, a bill for that purpose was introduced in the House. To this bill was added the amendment known as the "Wilmot Proviso":

"Provided, That, as an express and fundamental condition to the acquisition of any territory from the Republic of Mexico by the United States, by virtue of any treaty which may be negotiated between them, and to the use by the Executive of the moneys herein appropriated, neither slavery nor involuntary servitude shall ever exist in any part of said territory, except for crime, whereof the party shall first be duly convicted."

The bill with the Proviso passed the House, but it was still under discussion in the Senate when the session came to an end.

The most plausible explanation of the origin of the Proviso is that it was the product of a quarrel within the Democratic party. Angered at losing part of Oregon, the northwestern Democrats determined to deprive their southern associates of any more slave territory. To this end the Proviso was launched; written by Jacob Brinkerhoff of Ohio, it was introduced by David Wilmot of Pennsylvania, in order to conceal its true source.

Although the Proviso was never adopted by Congress, it became the guiding principle of the moderate antislavery forces. Let slavery alone in the states they would, but they were determined to prevent any further extension in the territories. Ten free state legislatures passed resolutions in favor of the measure.

The dispute between the free-soilers and the proslavery champions threatened to split, not only the old political parties, but the Union itself. Polk's expansionist policy and the war focused the attention of the whole country upon the question. Even the moderates on both sides were deeply moved; as for the radicals, they were talking of secession more calmly than they ever talked of anything else. The attitude of the extreme abolitionists toward the war with Mexico, and toward the slavery problem, is well brought out in the *Biglow Papers* of James Russell Lowell. If the modern reader finds them devoid of great merit, he finds them extremely interesting for the light they throw on the times. All the abolitionists hated Polk as Gregory the Great hated the Arians, with that holy hatred of the man who knows nothing but his own side of the dispute. As the Reverend Theodore Parker, the West Roxbury abolitionist, put it: "If you take all the theft, all the assaults, all the cases of arson, ever committed in the United States since the settlement of Jamestown in 1608, and add to them all the cases of violence offered to women, with all the murders, they will not amount to half the wrongs committed in the war for the plunder of Mexico." With the country stirred as it never had been before, it remained to be seen whether the politicians, jockeying for position in the presidential race of 1848, could do anything to allay the passion.

CHAPTER XXXIX

THE COMPROMISE OF 1850

The hot discussion of slavery and of the related questions was an evil omen for both the great parties. Drawing their membership from both North and South, the leaders naturally objected to any issue, no matter what, which tended to weaken party solidarity. Their aim had been, so far as possible, to keep the discussion at least out of Congress. Never entirely successful, they failed utterly during and after the War with Mexico. The Wilmot Proviso pointed toward a new party alignment, northern and western, against southern, and the coming of the political conventions in 1848 was looked upon with grave concern.

THE ELECTION OF 1848

The Democrats met at Baltimore, late in May. The first business of importance was the settlement of the contest between two opposing delegations from New York, representing the factions named, in the choicest of political terminology, Hunkers and Barn-burners, respectively. The Barn-burners were reformers, followers of Van Buren, and firm believers in the Wilmot Proviso. Although Polk had made an effort to remain neutral, he seems to have incurred the special dislike of this group. The Hunkers were probably more nearly like what the politicians of a few years ago would have called "stand-patters." They opposed the Wilmot Proviso, and were inclined to boast of their regularity. Ordinarily a local disturbance would have been of little moment, but in 1848 the division of the party in New York gave the presidency to the Whig candidate.

The Democrats nominated Lewis Cass of Michigan, in some respects one of the ablest men in the party. As a western man, he did not feel the keen hostility to slavery which characterized some of his eastern colleagues, nor was he so outspoken in defending the institution as were his friends from the South. His attitude was one of indifference to slavery like that which had prevailed generally throughout the Union in 1790. His solution of the problem was popular

sovereignty, so called, in accordance with which the settlers in any territory would themselves decide for or against slavery.

The Democratic platform denied the authority of Congress to interfere with the domestic institutions of the states, and declared that the federal government ought not to meddle with the question at all. With reference to the War with Mexico the platform followed Polk in stating that it was a "just and necessary" war, begun by Mexico.

The Whigs came together at Philadelphia in June. Among their presidential possibilities they had Henry Clay. Still a hero to his constituents, as he had been ever since his first entry into public life, and still in some respects the best known politician in the country, he labored under the disadvantage of his three defeats. After Clay, came the two victorious generals of the Mexican War, who were, fortunately for the party, both Whigs. To be sure the Whigs had execrated the war from beginning to end, but that did not keep them from taking from it whatever political capital came their way. In fact, with either of the generals as their leader, they could depend upon votes from those who agreed with the Whigs that the war was bad, and from those who had favored it, because of the popularity of the candidate. Of the two, Taylor had more of the vote-getting assets which politicians mean when they talk about "availability." His victory at Buena Vista had been great enough to move the purely political opponents of the war into something as close to admiration as they were capable of feeling, even if it did not touch a patriotic chord in the author of the *Biglow Papers*. Although Taylor was southern and a slave owner, and a man with no definite views on public questions, totally devoid of any knowledge of the trade of the politician, his party picked him because his name on the ballot might bring success—and the patronage. As his running-mate Millard Fillmore of New York was nominated. As usual the Whigs put out no platform, because as a party they were agreed on one thing, and on nothing else: the desire for the presidency. This issue was somewhat too elementary to serve even as subject matter for a party platform.

Another convention, which adopted the name of Free Soil, nominated the disgruntled Barn-burner, Van Buren. Their platform contained the principle subsequently adopted by the Republicans: nonextension of slavery in the territories.

In the election, Taylor's popular vote was 1,360,099 to 1,220,544 for Cass. Van Buren's 291,263 was insignificant in itself, but over forty per cent of it came from the Barn-burners in New York. With the Democratic party in that state almost evenly divided, its electoral vote went to the Whigs. The vote of New York was enough to elect Taylor, so for the second, and last, time in their history the Whigs were given an opportunity to administer the federal government.

THE WHIG INHERITANCE

If it had not been for the appeal of the patronage, the Whigs might well have regretted their success in the election. Never since Jefferson's time had the future held out more prospects of trouble. Then the chief danger had come from abroad; now it came from the United States, in the form of the controversy over slavery, bad enough in itself, and recently made worse because of its connection with the policy of expansion. On previous occasions the acquisition of new territory by the national government had necessitated the adoption of a rule or formula covering slavery. In 1787 the Ordinance for the Northwest Territory prohibited slavery, leaving the Southwest free to do as it pleased. When the question arose in the Louisiana Purchase, the Missouri Compromise prohibited slavery north of the 36° 30′ line, except in Missouri, and it left the region to the south free to do as it would. Texas came in as a slave state, while Oregon was organized as free. But there had been no formula adopted covering New Mexico and California. The Wilmot Proviso had been advocated for that purpose, but it could not be put through.

There were various suggestions concerning the proper way of ending the controversy over the subject. In addition to the Wilmot Proviso, there was the proposal to extend the Missouri Compromise line through to the Pacific. That would have given the South a smaller share than the North, as the same principle had done in the Louisiana Purchase, but many southern leaders were ready to accept it. Polk himself favored this proposal, and in doing so he had the unanimous support of his Cabinet, which he rarely got on any other question.

Others suggested that Congress should provide for the creation of territorial governments for California and New Mexico, but should prohibit their legislatures from enacting any laws regarding slavery. If questions concerning it should arise, they were to be left to the

territorial courts for decision, with the right of appeal to the federal courts.

Still others proposed to leave the question entirely to the decision of the inhabitants in the territories concerned, a doctrine called "squatter sovereignty." This plan appealed strongly to the West, because it seemed to the people there to embody American tradition and custom. Calhoun refused to consider this way out of the difficulty, because to his mind Congress had power to legislate for the territories, and the people in the territories had no constitutional right to pass laws against slavery.

Seeing nothing but the evils of slavery, utterly unable to appreciate either the point of view or the constitutional rights of the South, and determined to force the acceptance of their own principles upon the country, the antislavery forces were in no mood for any compromise. In fact, they drove ahead with various abolitionist plans, the agitation of which at that particular time could do nothing but embarrass those who were working for peace and the preservation of the Union. Among these additional projects was that of a formal decision regarding the status of slavery in the District of Columbia. The antislavery leaders were determined at least to prevent the buying and selling of slaves in the capital, if not to bring about complete abolition for the District.

Not to be outdone by their northern associates in raising subjects of discord, southern Congressmen began to insist upon a more effective law for the rendition of fugitive slaves. The statute for this purpose, passed in 1793, had become more and more a grievance to the North, and more difficult to enforce. It would have been the part of wisdom to have left the question, along with that of the slave trade in the District of Columbia to a more auspicious time, but many leaders on both sides were far too deeply stirred to think of wisdom. In Congress and in the state legislatures angry denunciations had become almost the custom, and appeals for secession were far too ominous. Northern abolitionists and southern "fire-eaters" had one conviction in common: the Union must go.

The antislavery advocates were insisting upon the establishment of legal equality for blacks and whites alike, regardless of custom, economics, attainment, or the Constitution. Their duty, as they saw it, was to reform their neighbor, to impose upon him, regardless of his preference, a social order of their own making. More con-

cretely, they insisted that the South should accept their views as to the proper social relationship of blacks and whites. The Southerners generally rested their case upon the Constitution, which recognized the legality of slave property, and appealed to it for protection. When the rapidly-growing abolitionist sentiment seemed likely to overthrow that bulwark, they proposed to protect their customs and their own rights by forming a new union and a new constitution of their own. Accepting slavery as the foundation of the established order, they saw in it something positively good, not a crime. If they were roused to extremes of bitterness—as they certainly were—it is not surprising, for human nature generally rebels at being "reformed" by outsiders.

Such in brief was the situation which Taylor had to face. The whole problem of slavery was uppermost in men's minds, at a time when they were so angry that a peaceful, satisfactory outcome seemed impossible. Nor was there time for delay. The discovery of gold in California had made imperative the need of government there, and no matter what sort of constitution was drawn, one side or the other in the slavery dispute was likely to be still further enraged.

In January, 1848, at Sutter's Mill, in the lower Sacramento Valley, the builder of the mill saw shining particles in the mill-race. On examination, they proved to be gold. The news spread rapidly, and everybody in California began to hunt for gold. Even soldiers and sailors in the United States army and navy deserted, hoping to make their fortunes. From all over the country there was a grand rush to California, and the rapidly-growing population was of the sort to be expected, under such circumstances: adventurers and desperados of all kinds, together with ordinary, respectable human beings. In order to prevent anarchy the law-abiding settlers assumed control, and meted out quick justice to evildoers.

Almost immediately after inauguration, President Taylor had sent agents to New Mexico and California, for the purpose of urging the people there to draw up constitutions and apply for admission into the Union. California had already started proceedings before the President's representative arrived, and in September, 1849, a state convention met, and drew up a constitution, prohibiting slavery. This was duly adopted, and all that remained was for Congress to approve, and to take the state in.

When Congress met in December, there was a prolonged contest

over the Speakership. Thirteen Free-soilers had the deciding voice, and they refused to approve either Howell Cobb of Georgia, the Democratic candidate, or Robert C. Winthrop of Massachusetts, the Whig. After three weeks of excitement, Cobb was finally chosen. This dispute was an inauspicious beginning for a session forced to deal with the most serious problem which had arisen since the adoption of the Constitution.

THE "OMNIBUS BILL"

At this point Henry Clay came forward to undertake the leadership of those who loved the Union. Seventy-three years of age, a veteran in public service, he still possessed enough of his original power to command a following even in times like those. On January 29, 1850, with compromise as his object, he introduced eight resolutions, most of which were eventually embodied in his well-known "omnibus bill." These provided that California should be admitted with her free-state constitution, and that the remaining portion of the Mexican cession should be given territorial organization without any restrictions on slavery. Texas was to relinquish her claims on a part of New Mexico, and by way of compensation the federal government was to assume the Texan debt, contracted before annexation. The slave trade in the District of Columbia was to be forbidden, and a more effective fugitive slave law was to be passed.

These compromise resolutions furnished subject-matter for a debate that lasted until after the middle of September, in some respects the most momentous debate in Congressional history. Early in February, Clay spoke in support of his resolutions, urging conciliation, sacrifice if necessary, in order to preserve the Union. On March 4, Calhoun, Clay's former associate in the stirring days of 1812, prepared to speak, but he was physically unable to stand the ordeal. The speech which he had intended to deliver was read by his friend, Senator Mason, of Virginia. Calhoun was opposed to any scheme of compromise. The time for that, he insisted, had long since passed. He showed how the various bonds of union, such as the two political parties and the church organizations, had either snapped or were visibly giving way. His remedy was to urge the North to give up her policy of aggressiveness against the South, and to grant his injured section the rights plainly guaranteed in the Constitution.

On March 7, Daniel Webster was ready to speak. Because of his

reputation as an orator, and because no one knew just where he stood with reference to the compromise, the Senate galleries were filled. His speech was an appeal for the Union, and he urged the adoption of the compromise as the best means to save it. Slavery, he said, could never exist in New Mexico or California, because geographical and climatic conditions made it impossible for them to raise the crops cultivated by slave labor. "I would not take pains to reaffirm an ordinance of nature, nor to reënact the will of God. And I would put in no Wilmot Proviso, for the purpose of a taunt or a reproach." With reference to the return of fugitive slaves, he insisted that the South was right, and the North wrong.

Webster was severely criticized by some of his northern friends for truckling to the slave holders, and accused by them of sacrificing his conscience, all in a vain effort to win the presidency. Perhaps the remark of Lowell, who referred to his "mean and foolish treachery," was typical. Other northern friends whose judgment had not been swept away by the hysterical clamor of the abolitionists, praised him warmly for his courage and his good sense. Webster's was the voice of one who retained his balance sufficiently to see facts as they were, the voice of reason, as was that of Clay.

Four days after Webster delivered his appeal for the compromise, William H. Seward of New York explained the attitude of the radical North, as Calhoun had done for the radical South. He was opposed to all legislative compromises, because they were all "radically wrong and essentially vicious." Granting that the Constitution defined the authority of Congress over the territories, he asserted that there was "a higher law than the Constitution, which regulates our authority over the domain." Seward's speech was in a sense prophetic. It was this "higher law" to which the abolitionists and the secessionists both appealed, the customary resort of revolutionists. The weakness in Seward's argument lies in the fact that he asserted the validity of this higher law for the North, without admitting it for the South. Or, if he did admit it, the implication was that the North would appeal to its higher law, and compel the South, by force if necessary, to agree with it. Under the higher law doctrine the old Union based upon voluntary consent was to be superseded by a new one based upon force.

Furthermore, Seward's categorical condemnation of compromises was hardly justified in the light of the history of the Union. Without

compromise the federal Constitution would never have become anything more than a purely theoretical scheme, a philosophical abstraction. Even the very drafting of it would have been impossible without compromise. While that perhaps is one of the illustrious examples of the effectiveness of mutual sacrifice to secure a greater gain, it is not the only one. Compromise is an adjustment to the unpleasant facts of this world, and the annals of human experience abound in examples of it. Its peculiar value lies in the opportunity afforded to smooth over a difficult problem while men's tempers are hot; when they have cooled, a permanent solution may be reached.

Calhoun and Seward represented the two extremes in Congress, Clay and Webster the moderates. The latter group were supported by Cass of Michigan, Douglas of Illinois, and, in this struggle for the compromise, by Toombs of Georgia. From all sections of the country there were representatives who cared enough for the Union to work for its preservation.

THE COMPROMISE

On April 18, Clay's measures were referred to a special committee of thirteen, with the author of them as chairman. This committee compressed the principles of the compromise into two bills, submitted on May 8. After that the debate went on, through the rest of the spring and the whole summer. On July 9, President Taylor died, and Fillmore, a friend of Clay and of the compromise, became President. But the various elements, as embodied in Clay's "omnibus bill," could not be passed as a unit. By the end of July the original bills had been completely broken up, and for a time it appeared that the whole plan was a wreck. But Congress began to deal with the component parts of the compromise as individual measures, and one by one they went through. The Texas boundary bill passed the Senate on August 9, the bill admitting California as a free state on August 13, and the bill organizing the territory of New Mexico on August 15. On September 12 the new fugitive slave act was passed, and on September 17, the last one of the series, the measure abolishing the slave trade in the District of Columbia.

The final measures all included a mass of detail, which had to be worked out with extreme care, and this work was done after the special committee of thirteen had completed its work. For that reason it is hard to tell which members were most responsible for the

compromise. It is easier to tell which ones worked against it. The opposing votes on the various measures were cast by northern and southern radicals, whose consciences and principles would allow them to destroy the Union, but not to save it.

In solving the problem of slavery in the territories of New Mexico and Utah, the compromise legalized the doctrine of popular sovereignty, and made it the formula covering the region. The measure read as follows:

"And provided, further, That, when admitted as a state, the said Territory, or any portion of the same, shall be received into the Union, with or without slavery, as their constitution may prescribe at the time of their admission."

While this measure was under discussion, no one in Congress raised the question whether it was supposed to apply solely to the Mexican cession, or whether it superseded the Missouri Compromise as a policy for determining the status of slavery in the territories. If the two compromises consisted simply of legal principles, general in their application, there can be no doubt that the later enactment would take precedence over the earlier. But if the first arrangement dealt with one block of territory, and the second with an entirely different block, one could not supersede the other. When this issue was raised, in 1854, it subjected the country to another uproar.

THE FUGITIVE SLAVE ACT

Of all the provisions of the Compromise of 1850, the Fugitive Slave Act was the most unsatisfactory to the North. This law placed the responsibility for apprehending fugitives upon federal marshals and judges, instead of upon state officials, as in the case of ordinary fugitives, and as in the case of fugitive slaves under the Act of 1793. Heavy penalties were provided for officials responsible for the escape of a fugitive after he had been apprehended, and for those who harbored or aided in the escape of a fugitive. The fugitive could have no jury trial in the state where he was apprehended; neither for that matter may any ordinary fugitive from justice. That comes in the state from which he fled. A slave of course would not get one at all. Nor could the officials accept any testimony regarding his status from the fugitive himself.

The antislavery element denounced the Fugitive Slave Act with all the bitterness at their command. Public meetings characterized

it as unconstitutional, unchristian, and immoral. Others announced their refusal to obey "its unhuman and diabolical provisions." In February, 1851, in Boston a fugitive named Shadrach was rescued by a mob, consisting largely of negroes. Later in Syracuse, the fugitive Jerry was freed by a crowd of abolitionists. Although for the first year or two, the cases of actual interference with the operation of the law were comparatively few, they attracted a vast amount of attention, and occasioned a good deal of serious concern.

On the whole, however, the country at large welcomed the compromise with a great sigh of relief. Congressmen who had helped enact the laws went home to complete the process of converting opponents. The leaders aimed at stamping out the Free Soil movement in the North, and the secessionist sentiment in the South. In the Northwest and the North, Cass, Douglas, Choate, and Webster devoted their efforts to make the compromise acceptable to their section. Helped by that element in society which generally opposed revolutions, they urged the end of agitation. "Union meetings" passed resolutions upholding the compromise, and demanding the execution of the Fugitive Slave Act.

In the South Clay and Crittenden of Kentucky, with Stephens, Cobb, and Toombs of Georgia were working valiantly to allay secessionist sentiment. They had to overcome the influence of such leaders as Governor Quitman of Mississippi, and William L. Yancey of Alabama, men fully as extreme as Garrison or Phillips. In February, 1857, under Yancey's leadership, an Alabama "Southern Rights" convention repudiated the "hostile and unconstitutional" legislation embodied in the compromise, and called for the election of delegates to a southern convention, to provide for secession.

In spite of this formidable opposition, the southern Unionists were successful in checking the secessionist movement. In Georgia the moderates led by Cobb, Stephens, and Toombs, won a complete victory. A state convention drew up the "Georgia platform," declaring that the state would regard the compromise as a permanent adjustment. At the same time, they announced that they would tolerate no federal law prohibiting slavery in the territories, nor a refusal to admit a slave state into the Union.

When Congress assembled in December, 1850, its opening was far more peaceful and sedate than it had been the year before. Leaders from all sections again proclaimed their loyalty to the compromise,

and renewed their allegiance to it as a final solution. By the fall of 1851, practically all influential opposition to the compromise had been beaten, both in the North and in the South. The majority of people had recovered their balance and their sense of perspective, and they were not ready to risk the ruin of the Union. Both sides prepared to let the controversy alone. If no new experiment with slavery had arisen, the storm might have been permanently finished.

CHAPTER XL

FOREIGN RELATIONS, 1850–1860

During the decade introduced by the Compromise of 1850, a number of interesting and important foreign problems arose, which furnished those who read the newspapers with something to think about besides slavery. Some of these centered upon the project of an isthmian canal. Ever since the days of the Emperor Charles V, the desirability of a waterway connecting the Caribbean with the Pacific had been obvious. Spain, however, never attempted to begin work, and the independent Latin American countries were too nearly insolvent to undertake any such ambitious project. The United States had almost from the beginning been interested, and the acquisition of territory on the Pacific coast naturally intensified that interest. Out of the various discussions and negotiations there gradually emerged certain treaties which bore directly upon the proposed canal.

ISTHMIAN DIPLOMACY

In 1848 the United States, and New Granada, as Colombia was then called, ratified a treaty covering transit on the Isthmus of Panama. New Granada guaranteed to the United States the right of way across the Isthmus, either by railroad or canal. The United States in turn guaranteed the "perfect neutrality" of the Isthmus, in order that free transit from sea to sea might continue without interruption, and in addition, the "rights of sovereignty and property which New Granada has and possesses over the said territory." This treaty was still in force in 1903, when it was rendered void by the Panama Revolution. Under the treaty the Panama Railroad Company, an American corporation, built the Panama Railroad, along the line of the proposed canal.

The second treaty concerning the possible canal was the Clayton-Bulwer agreement with Great Britain, signed in April, 1850. It was the product of a rather complicated situation in Central America, where Great Britain seemed to be getting a secure hold. For years she had a colony there, now known as British

Honduras. She also had a protectorate over the Mosquito Indians, in territory claimed by Nicaragua. The boundaries of neither region had ever been defined, and in 1848 the British seized the port at the mouth of the San Juan River, on the strength of the Mosquito Indian claim. Greytown, as the place came to be called, had a peculiar importance, because it was the logical eastern terminus of a canal across Nicaragua. Representatives of the United States had signed treaties with Nicaragua and Honduras respectively, designed to give the United States exclusive control over a canal through this part of Central America. These, however, were never submitted to the Senate.

Great Britain, in actual possession of this territory, enjoyed a distinct advantage in any negotiations. The United States, with no foothold there at all, was asking for concessions, and she began the discussions hoping to induce the British to relinquish Greytown, and to admit the United States to a share in the control of the canal.

As finally drawn the Clayton-Bulwer Treaty declared in the preamble the intention of the two governments to come to an agreement concerning any ship canal which might be constructed through Nicaragua. Both governments bound themselves never to obtain any exclusive control over the canal, never to fortify it, or to exercise dominion over Nicaragua, Costa Rica, the Mosquito Coast, or any part of Central America, also never to make any alliance with any of these Latin American states for the purpose of securing any unequal advantages with reference to the use of the canal. The second article provided for neutralizing the canal in case of war between the contracting parties. In the sixth, the two governments agreed to invite other states to participate in these arrangements. Finally the treaty bound the two governments to extend this agreement to cover any canal that might be built across the Isthmus of Panama, or the Isthmus of Tehuantepec in Mexico.

As time went on, this Clayton-Bulwer Treaty was looked upon as an obstacle standing directly in the way of the United States in the pursuit of its interests and rights. In that connection it is worth while to remember that Great Britain was in actual possession of territory, and that the United States was not prepared to drive her out by force. Great Britain withdrew from some of her holdings, in return for the guarantee of equal rights with the United States in any canal. The bargain was not so bad at the time as some of the critics

alleged. Although after the treaty was signed Great Britain showed a noticeable disinclination to surrender her hold on the Mosquito Coast, and although she attempted, also after 1850, to seize the Bay Islands, off the coast of Honduras, she finally came to terms. By 1860, the situation had cleared up to the satisfaction of the United States.

CUBA

In view of the intensity of the "manifest destiny" feeling in the United States it is not surprising that Cuba should have attracted marked attention during this period. Situated as it was, the island commanded important routes of commerce. The South saw in it a possible slave state, and while this factor tended to diminish northern enthusiasm for the annexation of the island, it had little restraining influence on Western sentiment regarding it. After 1848 the newspapers were full of information about Cuba.

Between 1848 and 1854 various attempts were made to instigate revolutions in Cuba, for the purpose of bringing the island under American control. "Filibustering" became almost a custom. Under the leadership of a Cuban, Narcisco Lopez, encouraged by the vigorous support of prominent Southerners, expeditions were fitted out in American ports. In 1849 and again in 1850, Lopez tried to upset Spanish control of the island, but both ventures failed. Another attempt, in 1851, also failed, and in the last one in 1854, Lopez lost his life.

In 1854 it appeared for a time as though President Pierce might win Cuba by conquest. An American merchant vessel, the *Black Warrior*, was seized by customs officials in Cuba for violating some inconsequential port regulation. The Secretary of State instructed the American minister in Madrid, Soulé, to demand damages to the amount of $300,000. Before the orders reached him, the authorities had released the vessel. Soulé, a hot-headed expansionist, was determined to provoke war. He delivered an ultimatum to the Spanish government, so drawn as to arouse Spanish pride, and demanded a reply inside of forty-eight hours. Naturally the Spanish government declined to meet Soulé's demands, but Marcy, the Secretary of State, refused to support his over-zealous minister.

Shortly after this episode had blown over, Soulé joined with Buchanan, the American minister to England, and John Y. Mason, minister to France, in a declaration known as the Ostend Manifesto. The

principle of this curious document was the very simple one that by reason of its position, Cuba must belong to the United States. The United States should offer to buy it for $ 120,000,000. If Spain refused to sell, it would become the duty of the United States to seize the island. Spain not unnaturally refused to agree with this simple reasoning, and again the State Department showed itself more conservative than its representatives abroad, and Cuba remained in Spanish hands for nearly a half century longer.

NICARAGUA

With the prospect of securing Cuba gone, expansionists turned to parts of Central America as a promising field for the display of American enterprise. In 1856 one William Walker, a professional filibusterer, plunged into one of the chronic revolutions in Nicaragua, and for two years succeeded in playing the rôle first of dictator, and then of president. By the spring of 1857, thanks to his own blunders, not the least of which was his stupid attempt to confiscate the steamers of "Commodore" Vanderbilt's line, he was overthrown. In November, 1857, he made a second attempt, only to be seized and brought home by Commodore Paulding, of the United States Navy. In 1860, in an expedition against Honduras, the venturesome Walker was killed.

MEXICO

During this period the United States was successful in acquiring only a single piece of new territory, the so-called Gadsden Purchase from Mexico, the treaty for which was signed in 1853. Because the negotiations were carried on at the height of the expansionist fever, when Cuba seemed almost on the point of falling into the hands of the United States, this purchase was hailed in the newspapers as part of a comprehensive scheme of expansion. While the actual accomplishments are plain enough, there were so many accusations and so much mystery surrounding Gadsden's work that no one knows just what was expected.

In 1853 there were a few matters concerning which Mexico and the United States disagreed. The Treaty of Guadalupe-Hidalgo had not been entirely clear as to the ownership of a bit of territory known as the Mesilla valley, about nine square miles in extent, hardly enough to cause serious trouble. Then Santa Anna, back again as dictator, with the title of His Most Serene Highness, had trumped up claims

against the United States to the amount of $40,000,000, on account of Indian depredations. To be sure he never expected to collect the money, but a claim was always a good diplomatic talking point, to be held in reserve. It might be useful sometime. Furthermore, the Pierce administration, with Jefferson Davis, Secretary of War, actually in charge, was planning for a transcontinental railway, over the southern route to California, by way of Texas and Santa Fe. A part of the proposed line ran through the Gila River Valley in northern Mexico. Gadsden was instructed to settle the points in dispute, and to buy the land needed for the right of way for the road.

According to newspaper reports, some of which had the appearance of truth, Gadsden had been secretly instructed to buy, if possible, the Mexican states of Chihuahua, Sonora, and Lower California. The *New York Herald*, a paper which frequently secured news surreptitiously from the State Department, announced positively that Gadsden had closed the deal with Santa Anna for northwestern Mexico, for the sum of $50,000,000. In proof of this assertion the *Herald* printed some articles, which were described as the first draft of Gadsden's treaty.

The reason the big sale never went through, so the *Herald* concluded, was the activity of William Walker, later the hero in Nicaragua, in Lower California. This intrepid adventurer, with a following of two hundred men, landed at La Paz, in Lower California, took possession of the country, declared it independent, and set up a republic with all the regular institutions, president—Walker of course—Congress, army, and navy, all with two hundred men and one boat. This attempt to steal the province so enraged Mexican public opinion that Santa Anna did not dare to carry out his agreement with Gadsden.

The final draft of the Gadsden Treaty provided for the settlement of a few claims, for new arrangements regarding Indian depredations, for the settlement of the boundary dispute, and for the sale of the Gila valley. The price to be paid was $15,000,000, for thirty-nine million acres, a strip so small that it looks insignificant when compared with the Louisiana Purchase or the Mexican Cession. According to report, Robert J. Walker, a shrewd Democratic politician and railroad man, had already arranged to buy the same identical territory for six thousand five hundred dollars.

The newspapers were loud in their criticism of the treaty. While

it was still pending in the Senate, the *Herald* characterized it as a "plundering operation against the United States Treasury," and in the same paragraph, as "a diplomatic humbug of the first water." Later the same paper hailed it as "the most corrupt job ever undertaken in Washington, and the most profligate attempt ever made to plunder the Treasury for the advancement of a foreign military adventurer."

The Senate cut the purchase price to $10,000,000, which Santa Anna somewhat ruefully accepted. Fifteen would have been better, but ten was more pleasing than the sixty-five hundred offered by Walker. After the document was ratified, the *Herald* asserted that it was the "most unblushing swindle ever perpetrated upon the country." Greeley of the *Tribune* described the territory acquired as "an arid waste," with boundaries so run "that every valuable part of that desolate country is reserved to Mexico. What is included in the purchase would not support a flock of prairie hens. A more heaven-forsaken piece of earth does not lie out of doors. . . . The more we have of such country, the worse we are off." Not to be outdone, the *Herald* described the acquisition as "worth just nothing at all, being simply a wild, hideous, howling, God-forsaken desert." Such were the circumstances attendant upon the last acquisition of territory bordering directly upon any part of the United States.

JAPAN

Aside from this active interest in projects of expansion at the expense of Latin America, there was no consistency of purpose or definiteness of aim in the foreign policy of the United States. There was however, ample evidence of activity. In 1853 Commodore Mathew C. Perry succeeded in breaking down the traditional Japanese policy of isolation. During his negotiations, Perry interested the Japanese by running a telegraph line from his headquarters on shore to the ships of his fleet, and by constructing a short railroad line. A treaty signed in 1854 permitted American ships to obtain provisions, coal, and supplies at certain points. In 1858 Japan agreed to receive a diplomatic representative from the United States. In the same year, a new treaty was signed with China, which made possible the activities of foreign missionaries in the country.

One of the most important treaties negotiated during this period was that signed with Great Britain in 1854, providing for Canadian

reciprocity. Rights of American fishermen were more clearly defined, and Canadian fish was allowed to come into American ports free of duty. Also the Canadians were given the rights of navigation on Lake Michigan, in return for which the Americans received similar rights on the St. Lawrence and the Canadian canals. This arrangement was to last for twelve years.

CHAPTER XLI

THE SLAVERY DISPUTE REVIVED

With the adoption of the compromise measures and the approval of the "finality" policy, politics in the United States was left with no compelling issue. The leaders were anxiously guarding against any resurgence of the temper of 1849, a negative task that left them in the position so often occupied by politicians, that of sitting on the lid. In the Congressional session of 1851–1852, lasting nine months, little was done beyond passing a "pork-barrel" bill and granting public lands. In their anxiety to avoid touching the disturbing problem of slavery, public officials touched nothing.

That this condition of political drought was far more beneficial than the heated contests which preceded it was generally agreed. It had other advantages. For example, the two parties were able to turn to the presidential campaign of 1852 with nothing to embarrass them. The Democrats were in excellent shape. The Barnburners had returned to their allegiance, and the Free Soil movement was negligible except possibly in Massachusetts. The Whigs had clearly lost ground. Never a strong party, and never entrusted with the presidency on their own merits, owing their victory in 1848 to the factional fight in New York, they seemed unable to make any compelling appeal.

In making their nominations, the Democrats could not agree on any one of their more prominent leaders, such as Cass, Marcy, Buchanan, or Douglas, and, on the forty-ninth ballot, the convention swung to Franklin Pierce of New Hampshire. The new candidate had the sort of noncommittal record which is a valuable asset in politics. He was handsome in person, kindly in his dealings with his associates, with no enemies, eminently safe in all respects.

The Whigs were more under the influence of their southern contingent, and allowed the Georgians to write their platform. For candidates the party had Fillmore, Webster, and the other idol of the Mexican War, General Winfield Scott. It took fifty-three ballots to convince the Whigs that nobody but Scott could get the nomina-

tion. In spite of his nomination Scott could not win the support of the southern Whigs, because they doubted his loyalty to the compromise. In the election many "bolted" the candidate, some voting for Webster, while nowhere in the South did Scott make a favorable impression. The Whig party was doomed. Pierce carried every state but five, getting two hundred and fifty-four electoral votes to Scott's forty-two.

THE NEW LEADERS

Although the election and inauguration of Pierce meant no change in national policies, and no political change of any kind, except among the office-holders, his accession happened to coincide with an unusual change among the leaders in Congress. The old leaders, the men who were responsible for the compromise, had largely ended their careers before March 4, 1853. Henry Clay died in June, 1852, and the whole country mourned his loss. With all of his weaknesses, and even with all of his pettiness, he had done enough in behalf of the Union to give him lasting fame. Webster followed Clay in October of the same year. Others either retired or were forced out of politics. Van Buren ceased to be a figure in politics after 1848, Winthrop of Massachusetts retired in 1851, in the same year that Thomas Hart Benton lost his seat in the Senate.

These men had all been unionists, and their loss could not be replaced. They had been trained in politics in the period after 1815, when nationalism flourished almost as a gospel, and as long as they were in Congress neither southern secessionism nor northern abolitionism could go unrebuked. Unionists remained, to be sure, but they were younger men, without the balance and the experience of Webster and Clay. Perhaps the most conspicuous of the group of younger unionists was Stephen A. Douglas of Illinois, the cleverest parliamentarian in Congress. He upheld the compromise, and he never became disturbed over slavery as an institution. No one denied his ability, but observers felt that his courage and determination might sometimes run away with his judgment. With Douglas there were Cass of Michigan, and Marcy of New York, both determined champions of the compromise. Among the southern unionists were to be listed Bell of Tennessee, Crittenden of Kentucky, and Clayton of Delaware. Whether this group would be strong enough to cope with their opponents remained to be seen.

In general the younger members were more concerned with purifying the Union than with preserving it. Trained in the thirties and forties, they could not help being influenced, in one way or another, by the doctrines of radical abolitionism. Those from the North were determined that slavery should not spread into the territories. To be sure they opposed secession, but they did not oppose policies that might exasperate the South into secession. The leaders in this group of northern radicals included Chase and Wade of Ohio, Sumner of Massachusetts, and Seward of New York. Chase was a keen debater and an able politician, but somewhat too selfish to make a first-rate party man. Sumner, like Chase a Free Soiler, was neither a politician nor a legislator, but an idealist. He was a well-educated man, courageous in expressing his own views, utterly intolerant, possessed of that dangerous command over words which enabled him to lash his opponents into mad rage. Some of his southern colleagues were almost convinced that his very presence in Congress was practically enough to justify secession. Wade was a fighting Westerner, who plunged into the slavery dispute with Sumner's zeal, untempered by either political or legal training. Seward was an expert in machine politics, a man of ability, who in less troublous times would have followed a comfortable course.

Set off against these radical "Yankees" were the proslavery champions of the South, who agreed in placing the safety of slavery above the preservation of the Union. Angered by the steady attacks of the abolitionists, they looked upon the whole North with suspicion. They were direct and frank in their threats of secession, in case they could not get what they wanted from the Union. Because they stood together, they dominated federal policies for eight years. Feeling that they had nothing to lose, because they cared little for the Union, they could be as belligerent as they pleased. Among the more extreme of these, Barnwell Rhett of South Carolina, Quitman and A. G. Brown of Mississippi, were out-and-out secessionists. After 1854 they were joined by former unionists like Robert Toombs of Georgia and Jefferson Davis of Mississippi.

When President Pierce's first session of Congress opened in December, 1853, it seemed that the slavery question was adequately guarded. In all federal territories the status of slavery had been definitely determined by law, and only new legislation could alter the arrangements. Such action seemed impossible. And yet, inside of a month,

Congress was plunged into a new fight over slavery, and the excitement there was immediately reflected throughout the country at large. The calm brought about by the compromise was suddenly destroyed, and the country did not settle down again until after the Civil War.

THE KANSAS-NEBRASKA BILL

In December, 1853, Dodge of Iowa introduced a bill to organize the Nebraska territory. This was a part of the Louisiana Purchase, lying west of Iowa and Missouri. It was for the most part given over to Indian tribes and consequently closed to white settlement. For ten years Stephen A. Douglas of Illinois, the chairman of the Senate committee on territories, had been working for the organization of this region. There were scattered white settlements in it, many of which had been made contrary to law. The squatters wanted to become owners, and for that they had to wait until the territory was organized. The Wyandott Indians were also clamoring for a territorial organization. Moreover many Missourians, for one reason or another anxious to move into Nebraska, were aiming at the same thing. Perhaps the most important force at work was the widespread interest in a transcontinental railroad. The admission of California had created a logical demand for better transportation facilities through the far West, and the very bigness of the project attracted country-wide attention. In an effort to work out a temporary solution, Congress authorized an experiment with camels, and a number of these beasts were imported. Their skeletons are now preserved in the Smithsonian Institution, as an interesting memorial of the zeal, if not of the sound judgment of the experimenters. More famous was Ben Holladay's coach line, from Missouri, through the Platte River valley, to California, which is described vividly in Mark Twain's *Roughing It*. But this was a makeshift at best; the country wanted a railroad.

It was far easier to get an agreement on the principle of the project than on a specific route. Douglas and his friends in Illinois wanted a line from Lake Michigan to Oregon. Benton of Missouri, working desperately to get back into Congress, demanded a line from St. Louis, over the Platte trail. Jefferson Davis, the guiding director of the Pierce administration, was quietly planning one from New Orleans, through El Paso. This proposed southern line could go all

the way through organized territory, and the prospect of speedy settlements along the road would encourage capitalists to take the risk of building it. Either one of the two northern lines, however, would run through unorganized territory. Naturally the promoters of those projects were insisting upon organizing Nebraska.

When Hall of Missouri introduced a Nebraska bill in February, 1853, the debate upon it brought out two main objections. Many southern Congressmen were inclined to oppose the creation of any more free territories. More particularly, the Texans objected, because they were eager for a southern Pacific road. If settlers were allowed to move into Nebraska, the central route might be selected after all. So the Texans amused Congress by displaying an hitherto unsuspected but intensely ardent interest in the rights of the Indians—outside their own state, of course. Hall, the sponsor of that particular bill, virtually accused them of trying to block the central Pacific project by keeping settlers out of the country through which it must pass.

Profiting by this debate of the preceding session, the committee on territories planned to make the Dodge bill satisfactory to its opponents. To do this they would have to persuade the South to consent to organizing a free territory, even though that step would interfere with the plan of a southern Pacific road. For such important concessions the price would have to be satisfactory. Possibly some arrangement regarding slavery might put the bill through.

On January 4, 1854, Douglas reported for the committee on territories. Nothing in the realm of possible legislative proceedings could have so thoroughly aroused the antislavery forces as that report. Douglas began by questioning the legal validity and the binding force of the Missouri Compromise, under which slavery would have been excluded from Nebraska. The committee, he said, would not venture to pass judgment upon so delicate a subject. But he and his colleagues felt that the principles of the Compromise of 1850 were not local in effect, but were designed to cover something more than the Mexican cession. It became the duty of the committee to perpetuate these principles. As set forth in the report, the principles were, first, that all questions pertaining to slavery in the territories were to be left to the decision of the people residing therein. Next, all cases involving title to slaves were to be referred to local tribunals, with right of appeal to the federal courts. And, the

Fugitive Slave Law was to be executed in the territories as in the states.

To make the Dodge bill conform to the principles enunciated in the report, the committee amended it by adding a new statement: "And when admitted as a State or States, the said Territory, or any part of the same, shall be received into the Union, with or without slavery, as their Constitution may prescribe at the time of their admission." In the first draft nothing was said directly about the Missouri Compromise, but that was hardly necessary, because the meaning of the bill was plain. Subsequently the three principles of the report were incorporated in the bill.

On January 16, Dixon of Kentucky moved an amendment to the Dodge Bill, specifically repealing the restrictive section of the Missouri Compromise. On January 23, after previously securing the approval of Jefferson Davis and President Pierce, Douglas introduced a new measure, the Kansas-Nebraska Bill. This provided for the organization of two territories instead of one, and announced that the prohibition of slavery in the Missouri Compromise had been "superseded by the principles of the legislation" of 1850, and was consequently "inoperative."

After the Kansas-Nebraska Bill was introduced, Chase and Sumner asked for a postponement of the debate upon it, on the ground that the Senate needed more time to study the measure. Their request was granted, and Chase used some of the time to draw up the pamphlet known as "The Appeal of the Independent Democrats." This was a severe indictment of Douglas, in which the author declared that the whole area of federal territory would be opened to slavery. Furthermore the "appeal" characterized the bill as a "gross violation of a sacred pledge," and as "a criminal betrayal of precious rights." It called upon all people of antislavery convictions to use every effort to have the measure defeated.

The debate on the measure was more bitter, and the contest even more serious, than the struggle for the Compromise of 1850. Chase and Sumner accused Douglas of aiming to let slavery into all the territories, and during the contest the Senate was deluged with antislavery petitions and memorials. In defense, Douglas urged the futility of legislation against slavery, by showing how slaves had been held in Illinois in spite of the Ordinance of 1787, and in Nebraska in spite of the Missouri Compromise. His solution for the problem,

which he called "popular sovereignty" went back, he said, to the Revolution.

"This was the principle upon which the colonies separated from the crown of Great Britain, the principle upon which the battles of the Revolution were fought, and the principle upon which our republican system was founded. . . . The Revolution grew out of the assertion of the right on the part of the imperial government to interfere with the internal affairs and domestic concerns of the colonies. . . . It is apparent that the Declaration of Independence had its origin in the violation of the great fundamental principle which secured to the people of the colonies the right to regulate their own domestic affairs in their own way; and that the Revolution resulted in the triumph of that principle, and the recognition of the right asserted by it."

The bill finally passed the Senate by a vote of thirty-seven to fourteen.

In the House the bill was in charge of Richardson of Illinois, a friend of Douglas. The administration made it plain that every Democrat must vote for the measure, or give up all hope of any hand in the spoils. Thanks to the vigorous use of the patronage, the bill was sure of a majority from the start. But the opponents could at least show how they felt, and they did so, with all the bitterness possible. Because of the obstructive tactics of the opposition, the debate dragged on, night after night, with all the members maddened by excitement, and some by drink. One Representative was reported as saying that every Congressman carried a revolver, and some had knives as well. During the struggle Douglas was on the floor of the House, aiding Richardson in the complicated work of parliamentary engineering. The debate was protracted until May 22, when after a thirty-six hour session the bill passed by a vote of a hundred thirteen to a hundred ten.

Douglas told the truth when he asserted: "I passed the Kansas-Nebraska Act myself. I had the authority and power of a dictator throughout the whole controversy in both houses. The speeches were nothing. It was the marshaling and directing of men, and guarding from attacks, and with a ceaseless vigilence preventing surprises."

The question of Douglas's motive was summarily answered at the time, at least by his opponents. In the "Appeal," Chase had accused him of making the maneuver solely in order to get the presidential nomination in 1856; all the antislavery forces looked upon it as a

cheap bid for southern support. Historians have not been satisfied with that answer. For one thing, as the balloting in 1852 had shown, Douglas was more in need of votes in his own Northwest than in the South. So, if his bill were a bid for support, it was not directed at the South.

It seems more reasonable to accept the explanation of his biographer, Professor Allen Johnson. Douglas had two chief interests, the Democratic Party, and the Pacific railroad project. He felt that his party was in grave danger of dissolution, because it had no great unifying principle to consolidate it. This lack he endeavored to supply, in his doctrine of popular sovereignty. He was finally led to favor two territories, Kansas and Nebraska, because of the demand for them in the West. Missouri was interested in the southern part, Iowa in the northern. Moreover, if only one territory were organized, it seemed likely that the majority of settlers would go into the southern part, and that would mean a central Pacific road. With two territories, there might be at least an even chance for the northern route which Douglas favored.

It is clear too, in spite of the charges of his critics, that Douglas had no intention of establishing slavery in the territories. He was willing to make such establishment legally possible, to win southern support for a northern Pacific road, but he felt that climatic conditions would effectively bar slavery out of that part of the West. He insisted that the prairies were dedicated to freedom by divine law.

No matter what his motive may have been, there is no doubt that Douglas made a tremendous blunder. He failed to gauge accurately the depth of antislavery feeling, or to realize how easily the whole uproar, allayed in 1850, might be revived. He might justify his doctrine of popular sovereignty with all the wealth of logical and historical argument at his command, but the North would have none of it.

It is very easy now to point out one fallacy in the popular sovereignty argument, which perhaps should have been borne in upon Douglas. His doctrine assumed that slavery was a local issue. It had been once, but that time had passed. It had become the most serious national issue confronting the country, and to northern leaders, even those who were not abolitionists, it seemed absurd to let a handful of pioneers decide a great question for the whole country.

With the passing of the Kansas-Nebraska Act the storm of antislavery controversy broke out anew. Because of the bitterness over the repeal of the Missouri Compromise, the temper was far worse even than it had been in 1849, and the prospect of a peaceful settlement even less hopeful. All the valuable results of the Compromise of 1850 had been swept away in an instant. Regarding themselves as cheated, the antislavery forces were determined never to yield again, and their angry charges roused even the moderates in the South. Douglas had wrecked two great compromises, and in so doing he nearly wrecked the country. Greeley declared that "Pierce and Douglas have made more Abolitionists in three months than Garrison and Phillips could have made in half a century." Douglas with his Kansas-Nebraska Bill brought the slavery question to a climax, and the outcome was war.

THE REPUBLICAN PARTY

Some of the consequences of this colossal blunder had become apparent even before the bill was passed. On the last day of February, 1854, a number of antislavery Whigs and Democrats, with some Free-Soilers, met at Ripon, Wisconsin, to protest against the Kansas-Nebraska Bill. If the bill should pass, they threatened to organize a new political party, dedicated to the principle of the Wilmot Proviso: no further extension of slavery. One of the participants suggested the name "Republican" for the proposed party. In July the party was actually started, in a meeting at Jackson, Michigan. The promoters demanded the repeal both of the Kansas-Nebraska Act, and of the Fugitive Slave Law, and advocated the abolition of slavery in the District of Columbia. During the summer and fall of 1854, "Anti-Nebraska" conventions were held in a number of states, and candidates were nominated for the fall elections. By November, 1854, the Republican Party was an accomplished fact.

In 1854 the new party was stronger in the Middle West than in the East. Although in Maine the Republican party became a going concern in 1854, in Massachusetts and New York for various reasons the purely sectional organization found little support. Seward, the leading antislavery leader in New York, was a Whig, and he refused to give up the old party for the new experiment. Moreover, especially in the East, the voters found a means for punishing the Democrats without voting either Whig or Republican tickets. A secret political

party, known officially as the "Order of the Star-Spangled Banner," unofficially as the "Know-Nothings," had been organized about 1850. The force back of it was hostility to the growing influence of the Irish Roman Catholics in politics. Naturally its origin had been in no way connected with the Kansas-Nebraska Bill, but in view of the fact that most of the Irish voters were Democrats, it was easy for the anti-Irish and anti-Nebraska elements to join.

The party was organized like a fraternal society, with local and state councils, or lodges, all under the direction of a national council. It had its secret passwords, ritual, and oaths, along with the paraphernalia of any secret society. Candidates were nominated by the officers, and every member was bound by oath to vote for these candidates, regardless of his own personal preferences. The element of secrecy, which always fascinates mankind, and the chance to punish the Pierce administration, attracted thousands of voters. Moreover the Democrats found it impossible to launch any campaign against it. Not only were the names of the members unknown to the general public, but even the leaders were able to keep themselves mysteriously in the background. Its opponents were left completely in the dark.

The elections of 1854 showed what Douglas had done. In the Northwest, when the Kansas-Nebraska Bill was passed, all the Senators, and twenty-four of the twenty-nine Congressmen from Indiana, Illinois, Michigan, Wisconsin, and Iowa, were Democrats. In this same section, the new anti-Democratic coalition of one sort or another, carried every state but Illinois. The same forces carried Maine, Vermont, and New York. The Know-Nothings polled over a quarter of the total vote in New York, over two-fifths in Pennsylvania, and nearly two-thirds in Massachusetts. In a number of states the candidates chosen on a Republican platform were Know-Nothings.

Because of the variety of party designations used in this election, it is impossible to classify the members exactly. The outstanding fact is that the Democrats lost heavily. In place of the one hundred fifty-nine disciplined followers who put the Kansas-Nebraska Bill through, the Democrats had only seventy-five in the new Congress. Of the opposition, there were perhaps a hundred and seventeen Know-Nothings, and about forty straight Republicans. The difficulty in attaching labels to the opposition may be seen in the dis-

crepancy in figures given in the various accounts. One authority found one hundred five Republicans to forty Know-Nothings. With old party lines completely broken, it seemed almost impossible for a time for the House to organize. From December 1855 to February 1856, the chief business was an angry contest over the Speakership Finally Banks, the Republican, was chosen.

Under ordinary conditions the Whigs might have profited from this outburst of anti-Democratic rage, as they had done in 1840 after the panic, but by 1854 the Whig Party was a wreck. By intensifying the feeling over slavery the Kansas-Nebraska Bill had widened the gap between the northern and southern wings of the Whigs. They had never been any too well tied together, and the strain of 1854 proved altogether too heavy. With the Whigs out of the way, it remained for the presidential campaign of 1856 to decide whether the Know-Nothings or the Republicans should become the dominant party.

CIVIL WAR IN KANSAS

While both the old national parties were feeling the impact of northern anger over the repeal of the Missouri Compromise, the territory of Kansas was giving a demonstration of the working of popular sovereignty under the most abnormal conditions. Ordinarily after the organization of a territorial government it took years to bring the population up to the point necessary for statehood. The Northwest Territory for example, had been organized in 1787, while the first state to be admitted from it, Ohio, did not come in until 1803. Illinois was not admitted until 1818, and Michigan not until 1836. Settlement had gone on with fair regularity there, and because of the absence of any forcing of issues, or of any country-wide interest in the local problems, popular sovereignty was a safe working principle.

In Kansas everything was different. Congress was committed in advance to a theory which had been imposed without any reference to local conditions, and the whole country had a feverish interest in every stage of proceedings there. Both antislavery and proslavery sections were determined that a few emigrants should not settle the question. A clash was inevitable.

The first rush of settlers was similar to those which had taken place in other territories. In this particular case emigrants went in from the Northwest, especially from Iowa, Indiana, and Illinois.

This was entirely spontaneous. The settlers were interested in land, rather than in the political complexion or social régime to be established. These pioneers from the Northwest were joined by other pioneers from Kentucky and Missouri.

Before the end of the summer, 1854, emigrants of a different type began to appear, those sent out under the auspices of the New England Emigrant Aid Society. This was one of those semi-philanthropic business enterprises which have appeared from time to time in American history. Its chief promoter, Eli Thayer of Worcester, Massachusetts, undertook to send Free-Soil settlers to Kansas, to provide them with the various supplies necessary to pioneers, and to secure a profit for his work. Because of the conflicting statements made at the time, it is hard to tell just what the Society did in the process of actual settlement; and so far as numbers go it does not greatly matter. The bona fide pioneers from the West were far in excess of these New Englanders. But the Society had an importance and an effect out of all proportion to the range of its work. The appearance of even a few score of Thayer's settlers was enough to fill the proslavery group with wrath. They had assumed that Kansas would be a slave state, and they looked upon the Society's work as an underhand trick to deprive them of their rights. From that time on the peaceful occupation of Kansas was out of the question. Proslavery interests in Missouri circulated rousing appeals through the South urging the various states to send in enough settlers to counteract the effect of the assisted emigration from the North.

The newly-appointed governor of Kansas, Andrew H. Reeder of Pennsylvania, named November 29, 1854, as the date for the election of a territorial delegate to Congress. On that day more than sixteen hundred armed men from Missouri, organized in "Blue Lodges," entered the territory and voted for one Whitfield, a proslavery candidate, for the office. He was elected, and Congress admitted him. In February, 1855, a census was taken; this showed a total of eight thousand six hundred one inhabitants,—with about three thousand voters—over half of whom came from the South, with only about seven hundred from New England. Had this census been taken in the preceding fall, or if it had been delayed until the following spring, the figures would have been very different. Thousands of pioneers from the Northwest had gone into Kansas, staked out their claims,

and then as was common, returned home for the winter. They of course did not count.

In March, Governor Reeder announced that elections to the territorial legislature would be held on the thirteenth of the month. He gave only three weeks' notice of the event, so of the pioneers who had gone home, only those in Iowa and Missouri were able to get back in time to take part.

The Kansas-Nebraska Act gave the right to vote to all free white male inhabitants, twenty-one years of age or over, actually resident in the territory. No specified length of time for residence could be named, because when the Act was passed, there were practically no legal residents in Kansas. Governor Reeder seems to have taken what little precaution he could against fraud, but no person in his position could have done much. It was impossible to distinguish the settler from Iowa, who came in, put up a shack and intended to stay, from the Missourian who went through the same motions, and intended to go home as soon as the election was over. The judges of elections had to be satisfied with a mere declaration of intent, and declarations were easy to make. According to some authorities, at least five thousand armed Missourians crossed the border on election day, and helped materially in rolling up the total of six thousand three hundred seven ballots. But this report needs to be taken with caution. Because of the hasty return of many of the genuine settlers, the vote was inevitably larger than the census figures warranted. It is simply impossible to tell exactly how much fraud there was.

Upon protest of the voters, Reeder ordered new elections in seven districts where unusually flagrant fraud had taken place. When the legislature assembled, apparently every member came heavily armed. Governor Reeder took his place as presiding officer, and laid two revolvers loaded and cocked on the table beside the election returns. In the supplementary elections six antislavery men had been elected. The legislature was strongly proslavery, and these six were promptly unseated, and those originally chosen, all proslavery, were admitted. Then the legislature proceeded to enact a set of laws covering slavery, all designed to prevent any antislavery discussion. A penalty of two years at hard labor was provided for any person who denied, either in speech or in writing, the right of persons to hold slaves in the territory. By the summer of 1855 the proslavery element had

full possession of the territorial government. Governor Reeder, originally proslavery in sympathy, had been disgusted at the flagrant violation of law, and not long after he had given President Pierce a full account of the situation he was removed from office. So complete was his conversion to the antislavery group that he became their candidate for territorial representative in Congress.

The Free-Soilers in Kansas were not the men to let the proslavery settlers have their own way unopposed. Under the leadership of Dr. Charles Robinson, who had been trained in the California school of politics, they determined to ignore the territorial government, to organize a state government, and to appeal for admission as a free state. On October 23, 1855, a convention consisting only of Free-Soilers met at Topeka, and drew up the Topeka ordinance forbidding the entrance of any negroes, either free or slave, into the state. A month later a governor and legislature were chosen. On March 4 the Topeka legislature met, and applied for admission to the Union, on the basis of the nonslavery constitution.

Popular sovereignty therefore had produced two distinct governments in Kansas, one of which, the territorial, was proslavery, the other, the so-called "state," was antislavery. Neither recognized the other. The territorial government had the authorization and the support of the administration at Washington, and it posed as the rightful authority. Pierce condemned the Topeka movement in vivid terms, and he threatened force in case the territorial government were seriously threatened.

In the territory itself the two factions were soon engaged in civil war. On May 21, 1856, the proslavery authorities attacked the town of Lawrence, the free state headquarters, burned the hotel, destroyed the newspaper, pillaged a number of houses, and killed two men. Three days later John Brown, an antislavery fanatic, with the zeal of a crusader and the moral standard of an American Indian, led a small band to Ossawatomie Creek, and deliberately murdered five proslavery men. In July the Topeka legislature was compelled to disperse, and both sides plunged into a sort of running fight. Over two hundred lives were lost, two million dollars' worth of property was destroyed, and agricultural activities were brought almost to a standstill.

Deeply as the country had been stirred by the abolitionist activities, and by the passing of the Kansas-Nebraska Act, the feeling on

those occasions was mild compared with the grinding rage aroused by the situation in Kansas. In the South the New England Emigrant Aid Society was held responsible for all the trouble, while in the North the Missouri "Blue Lodges," and the South in general, were accused of conspiracy to make Kansas a slave state. Looking upon slavery itself as evil, the antislavery section considered the attempt to force it upon Kansas as an unspeakable wrong.

CHARLES SUMNER

On Charles Sumner of Massachusetts the struggle in Kansas had created an impression not unlike that in the mind of John Brown. But Sumner was a man of far greater ability, with far more education and training, so his reaction was less elemental in character than Brown's. Brown sought to avenge murder with murder; Sumner translated his emotions into words, carefully planned and delivered where they would sting his hearers to madness. On May 19 and 20, in the Senate, Sumner shocked the Senators with a speech entitled "The Crime against Kansas," described by Cass, the oldest member of the Senate, as "the most un-American and unpatriotic that ever grated on the ears of the members of this high body." If Sumner had spoken on the spur of the moment, in a sudden outburst of temper, there would perhaps have been more excuse for him. But he had spent weeks in preparing this speech, carefully working over every sentence and paragraph until they were polished sufficiently to accord with his exacting standards. His attack upon slavery and upon the activities of the proslavery party in Kansas were more finished, perhaps, but no more severe than others. But for some reason known only to himself, he endeavored to give additional point to his remarks by reducing them to the concrete and the personal. Selecting Senator A. P. Butler of South Carolina as his special victim, and commenting on the fact that Butler was absent at the time, he covered him with ridicule and with insults.

"Of course he has chosen a mistress to whom he had made his vows, and who, though ugly to others, is always lovely to him; though polluted in the sight of the world, is chaste in his sight—I mean the harlot slavery. For her his tongue is always profuse in words. Let her be impeached in character, or any proposition made to shut her out from the extension of her wantonness, and no extravagance of manner or hardihood of assertion is then too great for this senator."

On the second day of his speech, he referred again to Butler, who had

"with incoherent phrases, discharged the loose expectoration of his speech, now upon her [Kansas'] representative, and then upon her people. There was no extravagance of the ancient parliamentary debate which he did not repeat; nor was there any possible deviation from truth which he did not make. . . . The senator touches nothing which he does not disfigure. . . . He shows an incapacity of accuracy, whether in stating the Constitution or in stating the law, whether in the details of statistics or the diversions of scholarship. He cannot open his mouth but out there flies a blunder."

Sumner also paid his respects to Douglas, in the same speech, and in about the same way, but Douglas was there, able and willing to reply in kind. Apparently Sumner went far in presuming upon his Senatorial immunity from prosecution, and Butler had no redress. Two days later, after the Senate had adjourned, Sumner was seated at his desk, writing. While he was there Preston Brooks, a member of the House of Representatives from South Carolina, and a relative of Butler, came up to Sumner. Announcing his name, but without giving Sumner a chance to rise, he pounded him over the head with a heavy gutta-percha cane. Sumner finally broke his desk free from its fastenings, and struggled to his feet, but, dazed and bewildered by the heavy blows, he could do nothing to defend himself. A Senate page ran to inform Toombs, Douglas, and Slidell, who were conversing in an anteroom, of what was going on, but they did not interfere. By the time Brooks was forcibly stopped, he had beaten Sumner into insensibility. It was three years before he had recovered sufficiently to resume his place in the Senate.

In the North, Sumner's speech was taken as a matter of course, a justifiable assault upon an evil institution, and the section was roused to horror over Brooks's retaliation. In the South the horror was over Sumner's speech, while Brooks was hailed as a hero. Perhaps nothing could illustrate so well the depth of the extraordinary bitterness which was forcing a separation. Both Sumner and Brooks were gentlemen in their ordinary relations, and yet, under the provocation of the dispute over slavery they both resorted to tactics which could be justified by no standards, no matter how low. Sumner's verbal attack upon Butler savored far more of the manner of the bar-room bully than of a Senator from a leading state in the North, while the

manner of Brooks's reply would have been scorned by an ordinary thug.

As a concrete example of the contest between two radically different sections, the struggle for Kansas was an ominous foreboding of a more extensive war. Alarmed or maddened, depending on their individual temperaments, the people turned again to a presidential campaign.

CHAPTER XLII

POLITICS AND SLAVERY, 1856–1860

With the Whigs actually going through the process of dissolution, and the Democrats threatened with a similar fate, and with the Know-Nothings piling up votes in state after state, the chaotic congressional elections of 1854 placed the Republicans in a position to jump from nothing into one of the major parties in the course of a single campaign. They had behind them the whole accumulated force of antislavery feeling, the intensity of which was greater than ever. By taking advantage of the loss of confidence in the Whigs, and of the distrust of the Know-Nothings they could capitalize any new issue that happened to arise. They found one in the civil war in Kansas. Democrats and Know-Nothings were both anxious to settle the contest there, partly because they saw in it the surest stimulus to Republican progress, while the Republicans were not unwilling to let it continue, at least during the presidential campaign, knowing that every attack upon the antislavery settlers would bring them votes.

THE CAMPAIGN OF 1856

The nominations of all the parties were influenced in one way or another by "bleeding Kansas." The Democrats had to select a candidate who would conciliate the wavering members of their party in the North, so they dropped both Pierce and Douglas. On the seventeenth ballot they picked James Buchanan of Pennsylvania, an old, conservative, easy-going man not likely to make trouble. One of his chief assets was his absence from the country during the debate over the Kansas-Nebraska Bill. He had at least antagonized no one, and voters might reasonably consider him safe. The platform upheld the doctrine of popular sovereignty as the best solution of the slavery problem, in spite of the unfortunate attempt to apply it in Kansas.

The Republicans had to be even more careful in their selection than the Democrats. As a new party, composed of dissatisfied Democrats and Whigs, they could not afford to show undue favoritism

to either wing. Chase had been too good a Democrat to satisfy the Whigs, while Seward, as the ruler of the Whig machine in New York, would never draw the vote of a single convert from the Democrats. They finally took John C. Frêmont, the "Pathfinder," so called, whose career in California could be made to look like an asset. Frêmont could never have traveled far in politics on his own merits, but the Republicans relied upon the widespread antislavery feeling to conceal the weakness of their candidate. The platform demanded the abolition of slavery in the territories and the admission of Kansas under the Topeka Constitution.

After the campaign started, the Democrats in Congress, under the guidance of Robert Toombs, introduced a bill designed to get a fair vote of the Kansans themselves on the subject of slavery. The measure passed the Senate, but the Republicans killed it in the House. They would not consider the admission of Kansas as a slave state, even if the inhabitants there favored slavery. Because of the Republican determination to prevent Congress from acting, nothing more was done, and the new party was able to draw upon "bleeding Kansas" for the whole campaign.

The Know-Nothing party went to pieces during the campaign of 1856, even more rapidly than it had arisen. The northern and southern wings could not agree on slavery, and the northern members went over in groups to the Republicans. As the sectional party steadily gathered strength in the North, the more radical southern leaders began to renew their threats of secession. If the Republicans should win, they declared, the South would leave the Union. Senator Mason, of Virginia, went so far as to urge Jefferson Davis, the Secretary of War, to provide the militia in the southern states with arms from federal arsenals.

There is no doubt that this renewed danger of disunion seriously affected the more conservative voters in the North. They were pleased by Buchanan's promise to secure a fair vote in Kansas, and they hesitated to goad the South by voting Republican. Buchanan was elected, with 174 electoral votes, to 114 for Frêmont. The Democrats also secured control of both houses of Congress. In spite of the fact that the total popular vote of all non-Democratic parties and groups was larger than the Democratic total, the old party was well satisfied with the result. There seemed to be more than an even chance of getting along with no more trouble.

THE DRED SCOTT CASE

Two days after Buchanan's inauguration, the Supreme Court unexpectedly departed from its normal course, and took a sudden plunge into the torrent of slavery agitation. It had hitherto kept clear of trouble in this quarter, by rendering decisions dealing only with legal, rather than constitutional aspects of the question. The sudden change of policy of the court, in the Dred Scott case, proved to be another great asset for the Republican Party.

The facts of the case are simple. Dred Scott was the slave of one Dr. Emerson, an army physician. In the course of his professional duties Dr. Emerson took Scott with him to Illinois, a free state by virtue of the Ordinance of 1787 and the state constitution, and then into the northern part of the Louisiana Purchase, made free by the Missouri Compromise. In 1838 master and slave returned to Missouri. Emerson died in 1844, and Scott became the property of his executor, one Sandford, of New York. Several years later Scott brought suit in a Missouri court to secure his freedom, on the ground that residence in Illinois had automatically released him from slavery. The Missouri courts decided against him.

The case was then carried on appeal to the federal courts. The circuit court followed precedent, and upheld the decision of the Missouri tribunal, whereupon, by another appeal, the case was carried to the federal Supreme Court. There was ample precedent covering a case of that sort, which, if followed, would have brought a mere matter-of-fact decision, upholding the previous decisions. The majority of the court decided to follow this course, and one of the associate justices was instructed to write the decision. Then Justice Wayne, of Georgia, conceived the idea that it would be well to seize this opportunity to have the Supreme Court put an end, for all time, to this troublesome wrangling over slavery. He succeeded in converting a majority of the Court, and Chief-Justice Taney was ordered to write the opinion.

In his famous decision, Taney upheld the lower courts in declaring that Scott was not free. Then the Chief-Justice entered into a long, involved, and historically unsound dissertation upon slavery in the United States. No negro could be a citizen, he said, because there were no negro citizens when the Constitution was adopted, and the document therefore applied only to whites. If he was not a citizen, Scott could not sue in the federal courts.

Once that question was settled, there was nothing more to be said, but Taney kept on going. Taking up Scott's plea that residence in Illinois and in the Louisiana Purchase had released him from slavery, the Chief-Justice argued that Congress had no authority to legislate against the property rights of any citizen which were duly guaranteed by the Constitution. Slavery was one of these rights, therefore the prohibition of slavery in the territories was unconstitutional, and the Missouri Compromise had been unconstitutional and void from the date of its enactment. This final assertion had no logical place in the decision, and it had the force solely of Taney's personal opinion, or, as lawyers put it, it was *obiter dictum*, with no authority as a precedent.

Associate Justice Curtis riddled Taney's whole argument. It was easy to show that the assertion regarding negro citizens had no foundation in fact, and equally easy to prove that there had been negro citizens, before, during, and after 1787. The theory that Congress had no right to prohibit slavery in the territories was contrary to unbroken custom followed since 1789. Curtis concluded by asserting that the Missouri Compromise was constitutional up to 1854, when it was repealed, and that Scott had been freed by his residence on free soil.

Instead of allaying the bitterness over slavery, the decision, like the Kansas-Nebraska Bill, made it worse than ever. Antislavery leaders pointed to it as further proof of the determination of the "slave power" to dominate all branches of the federal government. The Republicans were ready to ignore the decision, and they promised to reorganize the court so that its decisions would be in keeping with antislavery views. At the same time, their leaders must have felt an inward satisfaction as they saw their strength increased by Taney's blunders.

BUCHANAN AND KANSAS

The Dred Scott Decision was not a propitious introduction to any program for settling the Kansas troubles. Buchanan, however, felt that if he could put an end to the contest there, he would strengthen his party, and render a genuine service to the whole country. His policy called for the appointment of an impartial, fearless, honest governor, who would secure a fair registration of voters, guarantee honest elections, and give the voters in the territory a genuine opportunity to decide for or against slavery. This they could do, regardless

of the Dred Scott Decision, when they drew up their state constitution.

The new governor was a man of national prominence, Robert J. Walker of Mississippi. He had been a Senator from his state and Secretary of the Treasury under Polk. He seemed to possess the qualities required. When he arrived in Kansas, he found a movement well under way, the purpose of which was the framing of a proslavery constitution. The Free State party steadily refused to vote in any territorial elections, so there would be no opposition to the plan. On June 15, 1857, delegates were elected to a proslavery convention, to draft the constitution. Walker tried to induce the Free State men to vote, but they refused. As a result, fewer than one eighth of the voters took part, and the convention chosen was unanimously proslavery. Walker still persisted in his efforts to have the Free State group vote, especially in the approaching election of a territorial legislature. This time he was successful, and by rigidly insisting upon the exclusion of all those not qualified to vote, Walker secured an honest election. This left the Free State party in control of the legislature, because by that time they heavily outnumbered the proslavery group.

The minority, however, held its convention at Lecompton, and framed its constitution. Instead of submitting the whole document to popular vote, they submitted only a single article dealing with slavery. But other parts of the document provided for the protection of slave property already in Kansas, regardless of the vote on that particular section. The Free State party and the North in general characterized the plan as a miserable trick and a contemptible fraud. Governor Walker himself, a slave owner from the lower South, told the leader in the enterprise to his face that the scheme was "a vile fraud, a base counterfeit, and a wretched device to keep the people from voting." After the convention adjourned, Walker made a hurried trip to Washington, to lay the matter before the President. Once there, he found that the President, under the influence of Jefferson Davis, had concluded to support the Lecompton Constitution. Walker very naturally resigned, in a letter which would have aroused a stronger man than Buchanan into at least a realization of his stupidity. His decision to approve the proslavery scheme, and to repudiate the governor whom he had promised to support, wrecked the Democratic Party.

Douglas, the apostle of popular sovereignty, flatly informed Buchanan that he would repudiate the Lecompton plan, and did so, in spite of threats to drive him out of the party. In reply to the President's message to Congress, upholding the Lecompton Constitution, Douglas insisted that the voters must be allowed to pass upon the whole constitution, called the scheme "a mockery and an insult," and virtually announced his withdrawal of support from the administration.

On December 21 the proslavery Kansans voted on the Lecompton Constitution; it was approved by a vote of 6,226 to 569. More than a third of the affirmative votes were subsequently proven illegal. Then the territorial legislature, with its antislavery majority, set a date for another vote, when the voters would be given a chance to accept or reject the whole constitution, not merely the single slavery section. This time they registered a vote of over ten thousand against the document. In spite of this showing Buchanan advised Congress to admit Kansas as a state under the Lecompton Constitution.

The administration Democrats proceeded to attack Douglas for his refusal to support the President. Every one of his adherents was summarily dismissed from the civil service, and every Democrat was informed that a similar penalty was in store for any who ventured to vote against the approved program. Next, the forces of the administration framed the so-called English bill, providing for a resubmission of the constitution to the voters of Kansas, on the condition that if they rejected it, the state would lose a part of the public land to which it was entitled, and also that it could not be admitted as a state until the population equaled the ratio required for a representative in Congress. This scheme to bribe the Kansans to accept the Lecompton document, and to punish them if they rejected, passed Congress, in spite of the vigorous opposition of Douglas. In August, 1858, the voters decided the question, 1,926 in favor of the Lecompton Constitution, 11,812 against.

The anxiety shown by both sides in handling the Kansas difficulty was due to the approaching Congressional campaign. Having given all possible publicity to the knavery of the Missourians—carefully avoiding references to the shortcomings of some of the antislavery agitators—the Republicans hoped to win a victory great enough to enable them to sweep the country two years later. Everyone, or at

least every politician, knew that the elections of 1858 were merely a preliminary to the presidential struggle coming in 1860.

THE LINCOLN-DOUGLAS DEBATES

It so happened that the most spectacular and best advertised of the various contests in 1858 took place in Illinois. Stephen A. Douglas was campaigning for reëlection to the Senate. As the author of the Kansas-Nebraska bill he was perhaps the best known Democrat in the country, while his dramatic break with the President over the Lecompton business had aroused the admiration of his opponents, if not of his friends. The Republicans thought seriously, for a time, of putting his name on their ticket. But instead, they decided to take a candidate from their own party, and they picked Abraham Lincoln, of Springfield. Lincoln had been prominent in local politics for years, sometimes as representative in the state legislature, and, for one term, representative in Congress. While there he had achieved no particular distinction, except perhaps in his persistent effort to convict Polk of falsehood in describing the skirmish that preceded the Mexican War, and in his enthusiastic support of the Wilmot Proviso. When the Whig Party was going to pieces, he became a promoter of the new Republican Party.

He was far better known as a lawyer. As a keen judge of men, and as a practical psychologist of the highest order, he loved nothing better than the battleground of the courts, where it was possible to discomfit his legal adversaries, and to wind juries around his finger. During the evenings, after the daily sessions, he was always the most conspicuous figure in a group of story-telling attorneys. In Lincoln could be found those surprising contrasts that are not uncommon among professional humorists, a chronic melancholy, combined with a delicious sense of humor.

As a candidate for office he had assets of peculiar value. Born in the cabin of a "poor white" Kentucky mountaineer, he had given himself a remarkable education. His legal knowledge was deeper and more extensive than that of the ordinary western lawyer of his day; more important still was his extraordinary command of English, shown in the clarity and lucidity of his statements. He knew the language of the common people, and he could put his ideas so plainly that there was no possibility of mistake. From the beginning Americans have admired a self-made man, and Lincoln was eminently

self-made. Moreover he had a reputation for honesty and dependability, even in politics, traits which were none too common.

After both candidates had started on their campaigns, Lincoln challenged Douglas to a series of joint debates, which would give their hearers a chance to see the two men in action on the same platform, and, more important, give them an opportunity to answer each other directly. As finally arranged, there were seven of these debates, one in every electoral district where the two had not already spoken. The first of the series was held at Ottawa, on August 21, not three weeks after the Kansas voters had decisively beaten the Lecompton Constitution. All that morning crowds poured into town; it seemed as though half the state was there. As the two men appeared on the same platform for the first time, the contrast between them was extraordinary. Douglas was compact, solidly built, well proportioned, and well groomed. He knew how to dress, and he took pride in his appearance. Lincoln was undeniably awkward, even to the point of ugliness. Instead of concealing the oddities of his physical being, Lincoln's clothes seemed to accentuate them. His frock coat, obviously made for some one else, was far too short in the sleeves, while his trousers emphasized his length of limb. "How long, Mr. Lincoln," asked a witty fellow attorney on a previous occasion, "ought a man's legs to be?" "Long enough to reach the ground," was the ready reply. Lincoln's were. And, by the same token, his neck was long enough to reach his head, as the ill-fitting collar suggested. But these oddities were overlooked by Lincoln's friends, by every one in the West, for that matter. The West was too new, and still too direct and sensible in its attitude toward men, to give either credit or discredit on account of appearance or clothes. Even newspaper reporters from the more highly cultivated East forgot his looks once he had plunged into his arguments.

The general trend of the seven debates was about the same. Each candidate tried to pick flaws in the previous statements of the other, and to force the other into damaging admissions. One of the examples of this sort of fencing is to be found in Douglas's persistent charge that Lincoln was in favor of complete equality between the white and black races. Lincoln's reply was characteristic; that charge, he said, was "but a specious and fantastic arrangement of words, by which a man can prove a horse-chestnut to be a chestnut horse." Later, he answered the charge in all seriousness. "I will

say, then, that I am not, nor ever have been, in favor of bringing about in any way the social and political equality of the white and black races; that I am not, nor ever have been, in favor of making voters or jurors of negroes, nor of qualifying them to hold office, nor to intermarry with white people; and I will say in addition to this, that there is a physical difference between the white and black races which I believe will forever forbid the two races living together on terms of social and political equality. And inasmuch as they cannot so live, while they do remain together there must be the position of superior and inferior, and I as much as any other man am in favor of having the superior position assigned to the white race. I say upon this occasion I do not perceive that because the white man is to have the superior position the negro should be denied everything. I do not understand that because I do not want a negro woman for a slave I must necessarily want her for a wife. My understanding is that I can just let her alone."

At Freeport, Lincoln asked Douglas a question, hoping to lead him into an embarrassing dilemma with reference to popular sovereignty. "Can the people of a United States Territory, in any lawful way, against the wish of any citizen of the United States, exclude slavery from its limits prior to the formation of a State Constitution?" Lincoln's aim of course was to force Douglas to explain his favorite doctrine of popular sovereignty in the light of the Dred Scott decision. If Douglas replied in the negative, Lincoln could advertise him as a man who repudiated his foundation principle. If he gave an affirmative answer, he would certainly draw the fire of the southern leaders in Congress, Jefferson Davis for example, who denied that power to the people in the territories.

Douglas tried to clear the trap with his "Freeport doctrine." Regardless of Supreme Court decisions on an abstract question, he said, the people in a territory had the lawful power to introduce slavery, or to exclude it, as they preferred. Slavery could not exist without certain essential police regulations, which could be provided only by the territorial legislature. By passing the necessary laws, that body could make the existence of slavery possible; by refusing to pass them, they could keep it out.

The final vote in the state was unusually heavy. Of the candidates for the state legislature which would choose the senator, the Douglas men got 174,000, the Lincoln men 190,000. Had the present system

of popular election of senators prevailed then, Lincoln would have won. But in spite of the popular majority of the Republicans, they secured only thirty-five seats, while the Democrats got forty. Of fifteen contested seats, the Democrats, again with a minority, got eight seats, the Republicans seven. In the final vote Douglas got fifty-four, Lincoln forty-six. The explanation of the curious discrepancy between the popular vote and the party alignment in the legislature is to be found in the unblushing use of the system known as "gerrymandering." The Democrats had been in control of the legislature before the election, and, in accordance with an unfortunate American custom, they juggled the electoral districts in such a way that the Republican vote was smothered. This practice, it may be said, has not been confined solely to the Democratic Party.

The Lincoln-Douglas contest had almost as much importance as a nation-wide election. Newspapers all over the country carried full accounts of the speeches, with many printed verbatim reports. In spite of the personalities, charges and counter charges, and political maneuvering which characterized the Illinois campaign from beginning to end, the two leading speakers reduced to concrete form a number of hitherto hazy notions, and so made public opinion more definite in all directions. Then too, the debates served to introduce Lincoln to the country. His gift of putting his argument into terms comprehensible to the ordinary layman, and his faculty of clear expression, appealed to Republicans.

THE JOHN BROWN RAID

In the following year, 1859, while state elections were going on, the country was subjected to another one of those shocks over slavery which brought war measurably nearer. John Brown, one of the spectacular figures in the history of "bleeding Kansas" carried through his sensational attack upon the government arsenal at Harper's Ferry. He had been planning such a stroke for twenty years, and in 1858 he was convinced that the time had come. In order to get funds he came East, and interested a number of prominent northern citizens in his project. Among these were Gerrit Smith, the wealthy abolitionist, Theodore Parker, the clergyman, Thomas Wentworth Higginson, another clergyman, and George L. Stearns, a Boston business man.

He explained to them that he would lead a small group of dependable followers to a place in the Virginia mountains, from which he could make raids upon the surrounding country. As he freed the slaves they would increase the strength of his band, and then he could gradually widen the field of operations. He even had a plan of government all worked out, to use when he had freed enough territory and men. As Brown outlined his plan to his friends, he found them at first anything but encouraging. They saw the hopelessness of risking an attack upon the state of Virginia with a mere handful of followers. "If God be for us," replied Brown, "who can be against us?" He could not be dissuaded. "I have only had this one opportunity in a life of nearly sixty years," he wrote, "and could I be continued ten times as long again, I might not again have another equal opportunity. God has honored but comparatively a very small part of mankind with any possible chance of such mighty and soul-satisfying rewards."

Brown's friends contributed four thousand dollars to his cause, and in giving the money they knew that it was to be used for an armed enterprise in Virginia, although Brown kept the details pretty much to himself. In July, Brown rented two houses on a farm in Maryland, four miles from Harper's Ferry. His arms were collected there, and his preparations were completed. On Sunday night, October 16, with a force of eighteen men, he made his attack. By way of warning at the start, he told them not to take life unnecessarily, but not to hesitate in defending themselves. His men then cut the telegraph wires, seized the bridge over the Potomac, and captured the arsenal. By midnight Brown was in full possession of Harper's Ferry, government property and all. Then he sent out a party to begin freeing the slaves, and to seize white citizens for hostages.

As news of the raid spread from town to town, armed men poured into Harper's Ferry. By Monday noon Brown and what was left of his band were besieged in one of the government buildings. On Monday evening Colonel Robert E. Lee arrived with a detachment of marines. On the following morning Brown was captured. Ten of his band had been killed, five taken prisoners, while four got away. Brown was indicted and placed on trial for murder and treason, and on October 31, the jury brought in a verdict of guilty. He was sentenced to be hanged in December. On the day of his execution, mass meetings and memorial services were held in the North, funeral bells

tolled, and eulogies were delivered almost without number. The episode had stirred the country, and outside the slave states, Brown was promptly hailed as a martyr. His financial backers, with one or two exceptions, did not participate in these exercises. On the receipt of news of his capture, they had prudently and unostentatiously retired to Canada.

The question of John Brown's sanity is the only aspect of this episode which is hard to settle. His project was obviously criminal, and from any practical point of view, hopelessly silly and absurd. It may be heroic for nineteen men to attack the federal government, but whatever else it may be called, it is not wise. Hardly a better place for a self-made trap could have been selected than Harper's Ferry. But Brown was not relying upon human strength. In his own eyes, as he often said, he was acting as the agent of God, and this was no mere pretense on his part. This is the hinge of the whole question of his sanity.

His divine commission to free the slaves was the dominating force in his life, a genuine obsession. Everything was subordinated to this one great end, to such an extent that he ceased to react in normal fashion with respect to it. The history of mental disease is full of cases of individuals who were apparently normal in all respects save one, but because of that single peculiarity they were adjudged insane. There is no question, for example, concerning the fact of mental illness in the case of a man who believes that he is Washington or Napoleon, or of one who is convinced that he is the victim of universal persecution. But there has always been a doubt as to the insanity of men who bring religious motives into their acts, no matter how irrational or cruel they may have been. Brown's course was not normal, and no thoroughly balanced man could behave as he did. Unsane he certainly was.

Three days after John Brown's execution, the Thirty-sixth Congress assembled for its first session. Naturally every one was talking about the raid and about slavery. Many Republicans sympathized with Brown, and because of the tremendous excitement prevailing they were in no mood to listen calmly to proslavery arguments. From the very first day of the session all moderation was flung to the winds. It took nearly two months to elect a speaker, and during that time bitterness steadily increased. Again and again proslavery and antislavery members were barely prevented from coming to

blows, and there was always danger that arms would be drawn, and used. Plenty of members carried two revolvers apiece.

John Sherman of Ohio, Republican candidate for speaker, had been so unfortunate as to have his name used in an indorsement of a book entitled *The Impending Crisis*, by Helper, a poor white of North Carolina. This was a telling argument against slavery, and was proscribed by all the southern members of Congress. The mere fact that Sherman's name had been used in connection with it defeated him in the speakership contest. Another Republican, Pennington of New Jersey, was finally elected.

THE CAMPAIGN OF 1860

The John Brown raid and the struggle in Congress came as a most unfortunate prelude to the presidential campaign of 1860. At a time when the Democratic Party had already begun to divide on the slavery issue, this new wave of bitterness threatened to wreck the organization beyond hope. Alarmed by Douglas's "Freeport doctrine," and fearing more antislavery raids, the South began to insist upon positive congressional action in behalf of slavery. In the Senate, Jefferson Davis, who had become the spokesman for his section, presented the southern demands. The election of a Republican president, he said, would mean the end of the Union. As for slavery, Congress must guard it. If a territorial legislature failed to provide adequate protection for the system, Congress must do so. Furthermore, people in a territory could not, so Davis said, pass upon the question of slavery until they drew up their state constitution. In the resolutions setting forth these views Davis showed that the South had completely repudiated popular sovereignty.

On April 23, the Democratic national convention met at Charleston, South Carolina. From the very beginning the most obvious feature was the antagonism between the southern and western delegates. Even though the South had abandoned popular sovereignty, and the administration had proscribed Douglas, the Northwest had done neither. He had become a hero there, and his supporters were determined to have him, on his own platform. Southern members considered Douglas as bad as a Republican. The committee on resolutions had to choose between Douglas's popular sovereignty, and Davis's congressional protection for slavery, and they chose the latter. But the Douglas men insisted upon presenting a minority report.

The southern platform announced that no territorial legislature had the power to abolish slavery, or to deny the right of property in slaves; it also declared that Congress was bound to furnish adequate protection to slave interests in the territories, if it could be secured in no other way. The minority report pledged the party to uphold the Dred Scott Decision.

After a bitter debate between delegates from both groups, the convention adopted the minority, or Douglas platform. That was the signal for the break. The chairman of the Alabama delegation announced that it would withdraw from the convention. Mississippi, Louisiana, South Carolina, Florida, Texas, and Arkansas promptly followed; Georgia took the same action before the next morning. Under those conditions nominations were impossible, so after ten days the convention adjourned, to meet at Baltimore in June. The bolting delegations arranged to meet at Richmond.

That the disruption of the Democratic Party meant secession and war was apparent to the members of the convention who kept their heads. According to Alexander H. Stephens of Georgia, "The secession movement was instigated by nothing but bad passions." And later, he said "Men will be cutting one another's throats in a little while. In less than twelve months we shall be in a war."

On May 7 a group of former Whigs and Know-Nothings, older politicians who looked with genuine horror upon the approach of war, met at Baltimore; calling themselves "the Constitutional Union Party," they adopted for their platform the Constitution, the Union of the States, and the enforcement of the laws.

Just one week later, the Republicans met in Chicago. The wrecking of the Democratic Party at Charleston was an almost certain guarantee of victory, and on that account the excitement was intense. Spectators by the thousand crowded the city and jammed the meeting place. From the very first day it was evident that the main issue was a contest between Seward and Lincoln for the nomination. Seward wanted the nomination, and because of his record as a political strategist and manipulator he had the support of the machine politicians. But Seward was known as an extreme radical, and not all the Republican party by any means was out and out abolitionist. Furthermore, Seward was too intimate for the good of his reputation with business men and promoters of doubtful honesty, although he was honest himself.

Before the nominations were made the platform had to be drawn. This document called for the continuance of the Union, and for the upholding of the rights of the states. It denounced the John Brown raid "as among the gravest of crimes." With reference to slavery, it repudiated the radical southern doctrine that Congress must protect slavery in the territories, and reasserted its own cardinal belief that there must be no further extension of slavery. The first two days had been occupied in organization and platform making, and nominations were left over for the following morning. That night Seward's nomination seemed certain, but his opponents were far from giving up hope. On the contrary, they spent the night in plying the trade of political engineers, in bargaining for delegates. Two states in particular had to be won: Indiana and Pennsylvania. David Davis of Illinois, later a justice of the Supreme Court, then acting as Lincoln's manager, promised a Cabinet position to Caleb Smith, of the Indiana delegation, in the event of Lincoln's election. Indiana voted for Lincoln. The Pennsylvania delegates were bound to vote for Simon Cameron of Pennsylvania on the first ballot. Cameron was the Republican boss of his state, in complete control of politics there. He had no chance of the nomination, and the managers were all angling for his delegation after the first ballot. Again David Davis came forward with another offer of a Cabinet job, this time for Cameron himself. After complimenting Cameron, practically the whole Pennsylvania delegation swung to Lincoln on the second ballot. According to Rhodes, Lincoln had no knowledge of these agreements, and he had given specific orders that he be left unhampered. It is, however, an interesting coincidence that Cameron got the War Department and Smith the Interior Department. Lincoln received the nomination after three ballots had been taken.

After the Republicans had completed their work, the Democrats, or part of them, came together at Baltimore. Douglas received the nomination of the northern wing while Breckenridge of Kentucky was selected by the secessionist group. Every ballot cast for him was a vote for southern independence. With four candidates, two of whom were Democratic, Lincoln's prospects were bright. In the election, the popular vote stood as follows: Lincoln, 1,866,452, Douglas 1,376,781, Breckenridge 849,781, Bell 588,879. The electoral vote gave Lincoln 180, Breckenridge 72, Douglas 12, Bell 39. These figures bring out some very interesting facts. The total popular

vote of the three candidates opposed to secession was 3,832,288, almost three million more than the secessionist candidate received, and over eighty per cent of the total. Four states which ultimately seceded cast anti-Breckenridge votes ranging from about 2,500 in Georgia to over 18,500 in Virginia. Also, in all the states which joined the Confederacy, with the exception of South Carolina, the combined anti-Breckenridge vote was heavier than the secessionist vote. In South Carolina there was no popular vote in the presidential election. In the country at large the sentiment was overwhelmingly against secession, and somewhat against it in the slave states as a whole. It should be remembered that Lincoln's popular vote was only about forty per cent of the total, so he was elected as a minority President. Again, Breckenridge and Douglas together, the two Democratic candidates, had nearly 100,000 more votes than Lincoln. Finally, in Congress, if the southern states had not seceded, there would have been an anti-administration majority of eight in the Senate, and twenty-one in the House.

The election returns make the fact perfectly obvious that Lincoln's victory was due to the schism in the Democratic Party, and that he could command a majority neither in Congress nor in the country at large. That is, under ordinary conditions the Republican Party, while more of a sectional organization than the Whigs, would probably occupy about the same position with reference to the Democrats. It was a threat, which might become effective under abnormal conditions, but not otherwise. Had the southern leaders taken the trouble to analyze the vote, they might have seen little reason to fear the inauguration of Lincoln; from the point of view of the present day, they would have found it far more profitable to attempt to reunite the Democratic Party than to disrupt the Union.

CHAPTER XLIII

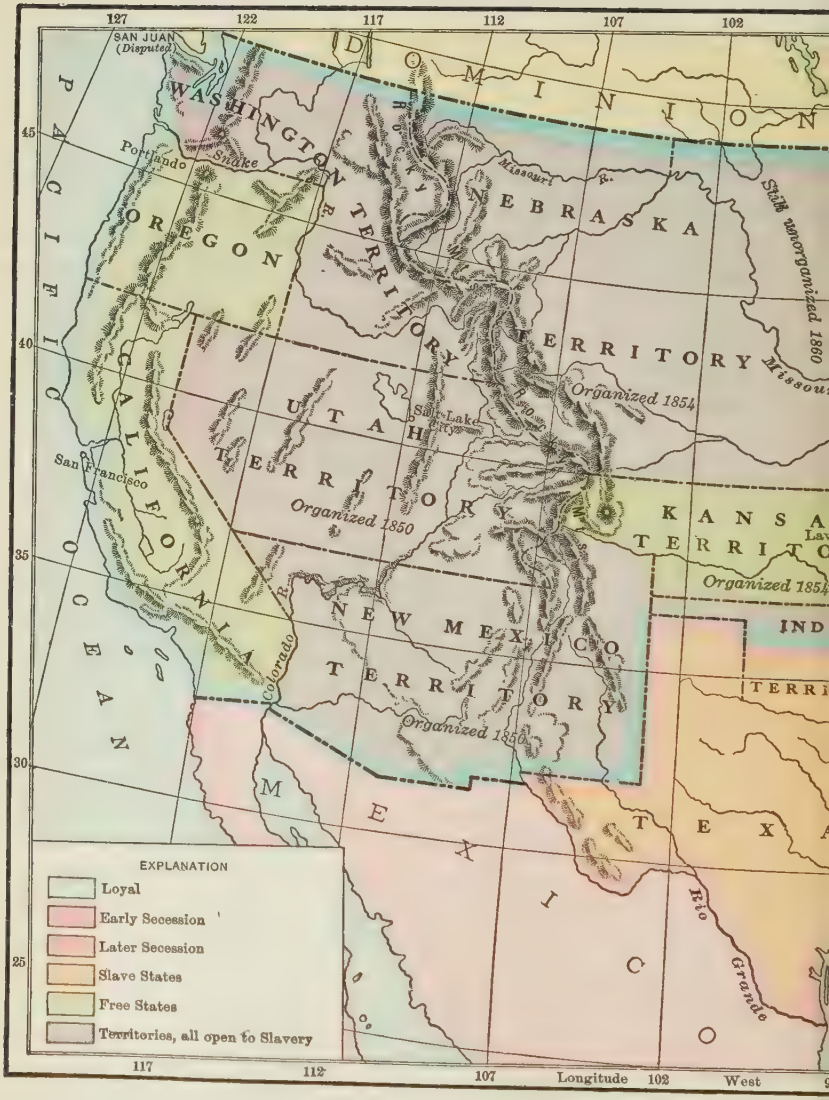
SECESSION AND WAR

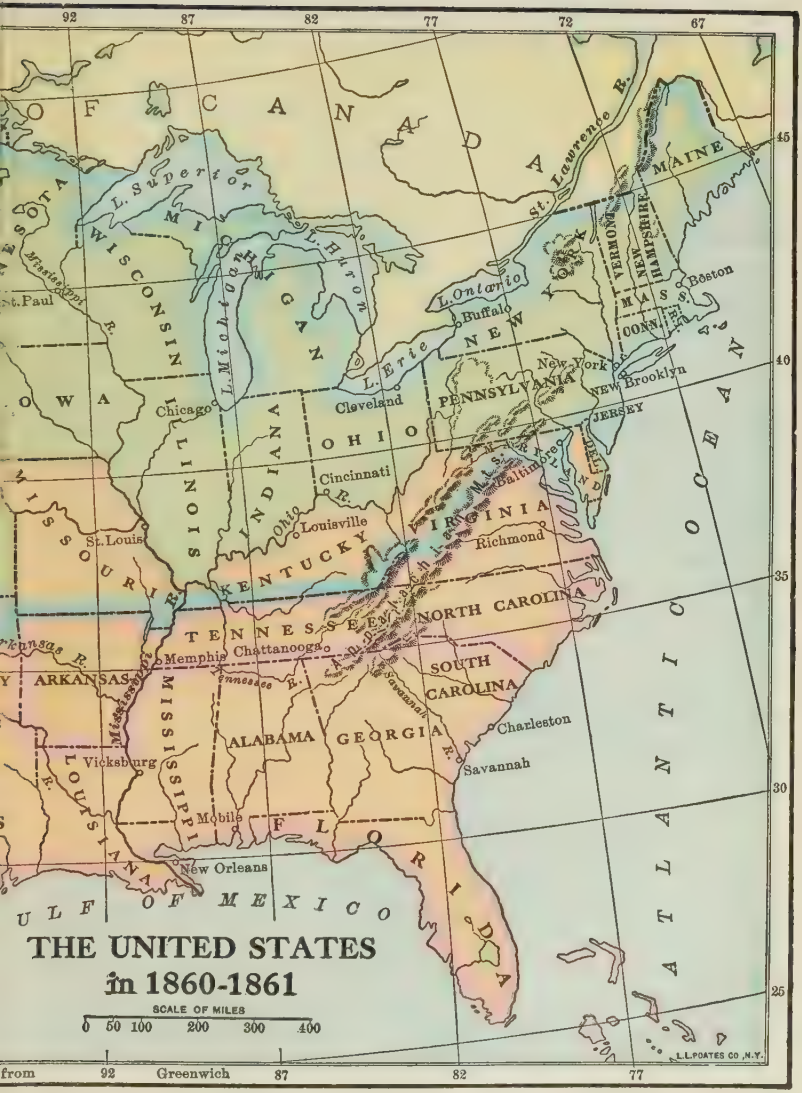
South Carolinians in 1860 followed the course of politics with lively concern. The leaders in the state had often declared that the election of Lincoln would be an intolerable grievance, and would lead to the disruption of the Union. Every one seemed to be keyed up to an unusually high pitch of excitement, and this tension increased rapidly as the election approached. The legislature was in session, to choose presidential electors, and to take whatever action the circumstances seemed to demand. There is no doubt that in South Carolina a majority of voters favored secession. On receipt of the news of Lincoln's election, the legislature passed a bill providing for a constitutional convention, to meet on December 17.

THE SECESSION OF SOUTH CAROLINA

When the members of this body came together, it was a foregone conclusion that the state would secede. On December 20, the convention adopted, unanimously, an ordinance of secession. 'We, the people of the State of South Carolina, in convention assembled, do declare and ordain . . . that the Union now subsisting between South Carolina and other States under the name of "The United States of America' is hereby dissolved." Four days later the convention adopted a Declaration of Causes, modeled upon the Declaration of Independence. This asserted that the federal Constitution had been adopted as an experiment, that it had worked constantly to the detriment of South Carolina, and that the character of the government had gradually changed from a federal organization to a consolidated democracy. Finally, it announced that the election of a president by a purely sectional party had rendered it unsafe for South Carolina to remain longer in the Union.

As a result of these proceedings South Carolina resumed her status as an independent, sovereign state, organized an independent government, and adopted a state flag. Before the end of the winter conventions in the six other cotton states had taken similar action, that


127
122
117
112
107
102
45
40
35
30
25
SAN JUAN
(Disputed)
PACIFIC
OCEAN
WASHINGTON TERRITORY
Portland
Snake
OREGON
CALIFORNIA
San Francisco
Colorado
DOMINION
Rocky
Missouri R.
NEBRASKA
Still unorganized 1860
TERRITORY
Missouri
Organized 1854
UTAH
Salt Lake City
Rio
TERRITORY
Organized 1850
KANSAS
TERRITORY
Organized 1854
NEW MEXICO
TERRITORY
Organized 1850
MEXICO
Rio Grande
EXPLANATION
Loyal
Early Secession
Later Secession
Slave States
Free States
Territories, all open to Slavery
117
112
107
Longitude
102
West


92
87
82
77
72
67
45
40
35
30
25
O F C A N A D A
St. Lawrence R.
MAINE
VERMONT
NEW HAMPSHIRE
MASS.
Boston
CONN.
R.I.
L. Superior
MICHIGAN
L. Michigan
L. Huron
L. Ontario
Buffalo
NEW YORK
L. Erie
New York
New Brooklyn
JERSEY
PENNSYLVANIA
Cleveland
Chicago
OHIO
INDIANA
ILLINOIS
WISCONSIN
IOWA
Cincinnati
Ohio R.
Baltimore
DELAWARE
MARYLAND
Louisville
KENTUCKY
VIRGINIA
Richmond
St. Louis
MISSOURI
TENNESSEE
NORTH CAROLINA
Memphis
Chattanooga
Tennessee R.
ARKANSAS
SOUTH CAROLINA
Charleston
Savannah
ALABAMA
GEORGIA
Vicksburg
Mobile
FLORIDA
New Orleans
GULF OF MEXICO
ATLANTIC OCEAN
THE UNITED STATES
in 1860-1861
SCALE OF MILES
0 50 100 200 300 400
L.L.POATES CO.,N.Y.
from
92
Greenwich
87
82
77

is Mississippi, Florida, Alabama, Georgia, Louisiana, and Texas. In Georgia, which had cast a heavy majority against Breckenridge, there was a determined effort made to prevent, or at least to delay secession. The leader in this was Alexander H. Stephens, subsequently vice-president of the Confederacy. He argued that as yet the North had committed no overt act of offense, that it was still possible to work for a redress of southern grievances within the Union, and that secession, while legally justifiable, would fail to give the South what it wanted. Curiously enough Stephens followed a line of reasoning not unlike that of George Cabot of Massachusetts in 1804, when he was working to dissuade his fellow Federalists from their schemes of secession and a northern confederacy. But the excitement aroused by the action of South Carolina had spread quickly through the South, and sentiment was strongly in favor of joining her in her experiment.

The other slave states hesitated and delayed until after Lincoln's inauguration. When he issued his first call for troops, on April 15, North Carolina, Arkansas, and Tennessee joined the Confederacy. In Virginia the unionist element had the upper hand until after the Fort Sumter crisis, and then the radicals took hold and carried the state out. On May 23, 1861, the issue of secession was submitted to popular vote, theoretically, but the polling places were all guarded by Confederate troops, and in counties where the vote was likely to be close it appears that Union men were intimidated into not voting. After Virginia seceded, Richmond became the Confederate capital. The other slave states, Delaware, Maryland, Kentucky, and Missouri, remained in the Union.

THE CONFEDERATE GOVERNMENT

On February 4, 1861, delegates from the seven cotton states met at Montgomery, Alabama, to organize a government for the new southern Confederacy. Anxious to have their work as far along as possible before the inauguration of Lincoln, they published their provisional constitution on February 8. On March 11, they published the permanent constitution. It is interesting that while the preamble makes plain the "sovereign and independent character" of the states, nowhere in the document is there a reference to the rights of nullification or secession. Consistency perhaps might have required some sort of constitutional indorsement of those methods of procedure, but

common sense stood in the way. No government in its organic law cares to sanction ways and means of committing suicide, or to point out methods whereby it may be legally overthrown. In most respects the Confederate constitution resembled the federal, with more guarantees for the rights of the states. Of course the document provided for the legalization of slavery; although it prohibited the African slave trade, it also prohibited Congress from passing any laws impairing the right of property in slaves, and insisted that both Congress and the territorial governments must protect slavery in any territories acquired.

Shortly after the provisional government had been proclaimed, the Montgomery Convention chose Jefferson Davis as president, and Alexander H. Stephens as vice-president, of the Confederate States. Duly inaugurated on February 18, Davis had his government in working order before Lincoln entered office. In spite of the veneration which has deified Davis in the South—similar to that which deified Lincoln in the North—there were able Southerners at the time, and later, who insisted that Davis would have made a better general than president. Robert Toombs, Howell Cobb, and Stephens, the Georgia triumvirate, were all presidential possibilities, but Davis had acquired a greater reputation because of his work in the federal Senate.

The South based its right to secede upon various grounds, constitutional, legal, strategic, and economic, but their arguments were mostly products of the process of rationalization, as revolutionary arguments generally are. They felt very keenly that they would be better off out of the Union than in, and they easily worked up convincing theories to justify them in the stand they had taken. Feeling that a Republican administration would be a constant menace to them, they left the Union to avoid danger. To their minds Republicanism meant more runaway slaves, more John Brown raids, more aggressiveness on the part of the abolitionists.

Then they believed that Lincoln's election threatened the existence of their property rights in slaves, valued at three to four billion dollars, and they looked upon secession as the best kind of insurance. In this connection they relied upon cotton to bring them friends, and even actual assistance in case they were attacked. "Cotton is king" was the prevailing sentiment. Perhaps this state of mind, fairly common throughout the South, was expressed most bluntly in the

words of Senator Hammond of South Carolina. "I firmly believe that the slave-holding South is now the controlling *power* of the world—that no other power would face us in hostility. Cotton, rice, tobacco, and naval stores command the world; and we have sense to know it, and are sufficiently Teutonic to carry it out successfully. The North without us would be a motherless calf, bleating about, and die of mange and starvation."

Again they argued that with a policy of free trade, the Confederacy would soon get possession of all the commerce then going to the North, which was still laboring under the burden of a slightly protective tariff.

The statement quoted above reveals the sort of fervor common to all revolutionary movements, beneficial in the sense that it inspires people to heroic action, but highly dangerous in that it blinds them to essential facts. There was a general tendency in the South to overlook the weakness of cotton. Because of the high degree of specialization upon a single crop, they were dependent upon the Northwest for food. Moreover, because the Confederacy was primarily rural, it had to import practically all its manufactured goods from the North or from abroad. War, with the possibility of a blockade, might cut off both sets of indispensable supplies. Of course they expected foreign intervention in their behalf in case of war, a hope that proved to be without foundation. It so happened that the period of the war coincided with a period of crop failures in England and in Europe. For that reason wheat proved to be a more powerful factor in determining international relations than cotton, and during the whole war the Northwest was producing bumper crops of wheat.

There was nothing new in the underlying philosophy of secession; on the contrary it was a doctrine long honored, both in theory and in practice. New England had been settled largely by the same kind of people who rebelled against Charles I, and the habit of defying any authority not their own was firmly fixed in that section. As the Southerners were fond of arguing, the American Revolution was secession from the British empire, and in 1775 and 1776 there were loyal Americans by the thousand who denounced that particular rebellion. During the Revolution there were curious and interesting manifestations of the same principle, that is, the repudiation of unpopular authority. Vermont seceded from New York, Berkshire County almost seceded from Massachusetts, and, later, Kentucky

and Tennessee were threatening to secede from Virginia and North Carolina, and later from the United States. During the constitutional period the doctrine of states' rights was widely and generally popular, and if the theory of an indissoluble union had been emphasized in 1787 and 1788 it seems reasonably certain that the Constitution could not have been ratified. After 1789, the philosophy of states' rights and secession was not given up. The letters of the New England Federalists of the Jeffersonian period are full of the doctrine. Preceding chapters have shown how the theory gradually disappeared in the North and West. In the South before 1865 it never disappeared, and it was brought out on occasion, to give point to southern demands. Historically the South had ample justification, and her leaders were thoroughly familiar with the precedents which fitted her needs.

The comparison between the cause of the Confederacy and the cause of the American colonies, popular in the South, has been dismissed with a mere gesture of disapproval by many historians. It would seem that the task of weighing and comparing revolutions is more difficult than they admit. The revolutionists always insist upon the justice of their cause, while those rebelled against are equally insistent upon the evil of it. One prominent American writer in an article on self-determination calmly settled this particular question by asserting that the colonists had a just cause to rebel, while the South, leaving the Union to protect slavery, had an unjust cause. But in certain matters what is just and what is unjust depends entirely upon the point of view. There is no unvarying measure which is generally accepted. The modern historical conclusion regarding the Revolution is that the actual grievances of the Americans were few, and that the British government was inclined toward conciliation. The actual grievances of the South were likewise few. The genuine conservative, who feels that revolution is an unwise method of solving problems would very likely say that one revolution is as bad as another. If the question must be answered, the weight of evidence would suggest that historically the South had the same justification for withdrawing from the Union that the colonies had in leaving the empire. If one community is justified in deciding what its rights are, and how they may best be upheld, it is hard to deny the same right to another community. Furthermore in some of the southern states, there is evidence of more general unanimity in favor

of secession than there was in the colonies over war with Great Britain.

Perhaps the real point is that the course of development in the North and West was so different from that in the South that two nations had developed, with distinct interests and social customs. The customs of the smaller nation, or section, were menaced by the hostility of the larger. Certainly there was little in common between the rural South, with its plantation system, and the industrialized North.

Leaving the historical and legal side of the question, and turning to actual conditions and to the future, the commentator has an easier time. There is no doubt that slavery, as an economic system, was not only archaic, but wasteful. It was a losing proposition, as the older southern states had learned. The attempt to perpetuate it was an attempt to carry an unnecessarily heavy burden. Also, if the experience of Europe may be taken as a guide for the United States, the attempt to establish another nation in North America was a stupendous error. The curse of Europe has been the multiplication of sovereignties, each looking out for itself, each jealous of all the others, each continually in fear of aggression. By uniting so much of the continent under a single system, the United States had greatly decreased that danger. The federal union was not a sure guarantee against strife, as the Civil War proved, but during the existence of the national government it has been subjected to only one civil war, while during the same time Europe has had two fights to a finish, with ample prospect of more to come.

BUCHANAN'S POLICY

In the meantime, during this eventful winter which saw the secession of the southern states and the formation of the Confederate government, President Buchanan was lost in uncertainty, doubt, and hesitation. He did not believe in the doctrine of secession, but he was convinced that he had no power to "coerce" a state. Consequently he dodged the issue and took refuge in inaction. Faced with a situation far less dangerous, Jackson, the patron saint of Buchanan's own party, had had no scruples about coercing a state, that is, if he did not agree with the state. In South Carolina he had been fully prepared to protect federal property, and to enforce federal laws.

In the harbor of South Carolina there were certain federal forts, especially Moultrie and Sumter. Moultrie, under command of Major Anderson, was open to attack, and on December 26, Anderson transferred his small force to Sumter, which could be more easily defended. The South Carolina authorities ordered Anderson to return to Moultrie, and he refused. Thereupon South Carolina took possession of Fort Moultrie, and of Castle Pinckney, another federal fort, near the city of Charleston. On the same day, December 27, 1860, under orders of the state convention, the collector of the port, and all the customs house officials severed their connection with the federal government. The collector transacted all business in the name of the state, and deposited funds collected in the state treasury. He even raised the South Carolina flag over the customs house. On December 30, under orders of the governor, state troops seized the United States arsenal, with large quantities of arms and ammunition.

Before South Carolina had taken this federal property, General Scott had urged Buchanan to make the forts in the South so strong that they could not be seized. The President refused to do this, probably because he did not wish to assume anything that looked like the offensive, possibly because he thought the whole trouble would be settled without hostilities, as other disputes had been. He felt that any show of force at that time would only make matters worse. A president of ordinary temperament would very likely have taken action to protect federal property, in any case, and that could have done no more harm than Buchanan's policy of cautious inaction.

Buchanan finally decided, under pressure of some of his Cabinet, not to yield to South Carolina to the extent of ordering Major Anderson back to Fort Moultrie. Northern opinion as revealed in newspapers and in the federal House of Representatives approved this manifestation of firmness.

ATTEMPTS AT COMPROMISE

While Buchanan was drifting with the tide, certainly unaware of what should be done, and probably unaware of where he was being carried, Congress was busy with the forlorn hope of compromise. The Crittenden Resolutions provided that the Missouri Compromise should be restored, and extended to the Pacific. Once in effect, it should be made to apply to all new territory that might be acquired in the future. When these proposals came before Congress, the

Republican members consulted President-elect Lincoln, in order that their action might be in harmony with the policy of the incoming administration. He advised strongly against the acceptance of the compromise plan, chiefly because it was inconsistent with the primary Republican principle of no further extension of slavery in the territories. His followers yielded to his wishes, and the Republicans voted against the Crittenden Resolutions. Lincoln was therefore primarily responsible for the defeat of this method of avoiding hostilities.

After Crittenden's plan had been rejected, the legislature of Virginia invited the other states to send commissioners to a peace convention, to meet February 4, 1861, in Washington. Ex-President Tyler headed the Virginia delegates. Twenty-one states accepted the invitation. The sessions lasted just a month, to March 4. The delegates worked out a plan of compromise, less satisfactory to the South than the Crittenden Resolutions, and less satisfactory to the Republicans. When submitted to Congress, it received only seven favorable votes.

In the middle of February, Lincoln started on his journey from his home in Springfield, Illinois, for Washington. Newspapers and private conversations were filled with rumors of plots to assassinate him on the way. Those regarding the dangers lurking in Baltimore became so specific that, on the advice of General Scott, Lincoln altered his plans, in order to avoid going through that city during the day. Scott had Washington carefully guarded with troops, so that no untoward event would interrupt the inauguration.

THE LINCOLN ADMINISTRATION

In his inaugural address Lincoln spoke to allay apprehension regarding his policy toward the South. Quoting from one of his own earlier speeches, he said, "I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so." Then he quoted from the Republican platform, which disclaimed any intention of disturbing the right of each state to control its own affairs. Continuing, he said: "I now reiterate these sentiments; and, in doing so, I only press upon the public attention the most conclusive evidence of which the case is susceptible, that the property, peace, and security of no section are to be in any

wise endangered by the now incoming administration. I add, too, that all the protection which, consistently with the Constitution and the laws, can be given, will be cheerfully given to all the States when lawfully demanded, for whatever cause—as cheerfully to one section as to another."

He insisted upon the preservation of the Union, and he denied the right of secession. Acts of violence within any state, against the authority of the United States, were "insurrectionary or revolutionary, according to circumstances." While giving warning that federal laws were to be enforced, he said that there would be no violence or bloodshed, unless it were forced upon the national authorities. The power granted to him would be used "to hold, occupy, and possess the property and places belonging to the government, and to collect the duties and imports." If war should come, it would come from the aggression of the Southern states.

The Cabinet of the new President included men of various shades of opinion. Seward, the real leader of the Republican Party down to 1860, was made secretary of state, while Chase of Ohio, another presidential possibility in 1860, received the treasury department. Simon Cameron of Pennsylvania, better known for his skill in the shady maneuvering of backstairs politics than for statesmanship, became secretary of war. This appointment, like that of Caleb B. Smith of Indiana, as secretary of the interior, had come as part of a bargain in the Republican convention of 1860. Gideon Welles, the secretary of the navy, had led the Connecticut delegation in the same convention. Edward Bates of Missouri, attorney-general, and Montgomery Blair, of Maryland, the postmaster-general, came from slave states of doubtful loyalty to the administration.

Lincoln spent the first month of his administration in trying to survey his problems, and in taking care of the applicants for federal jobs. The mere fact that the Union had been broken in two, and that there was more than an even chance of war did not deter the politicians from demanding their rewards. Aside from the offices, the most troublesome concrete question was Fort Sumter, and as the policy of the Confederate government became more evident, the problem became more serious. The authorities at Montgomery had sent General Beauregard to Charleston, to take charge of operations. On March 6 the Confederate flag, the "stars and bars" was raised over the United States customs house in Charleston. The Con-

federate provisional Congress had, before March 16, authorized the raising of an army of 100,000 men, to serve for one year. The individual states turned over to the Confederate government whatever federal property they had taken. Louisiana was honored with a special vote of thanks from the Confederate Congress, for turning over $536,000 in coin, which her officials had seized in the federal mint and customs house in New Orleans. Lincoln's announcement in his inaugural address that he would uphold the rights of the federal government to its own property carried little weight in the South.

FORT SUMTER

On March 29, Lincoln ordered the war and navy departments to organize an expedition, to be ready for action, if necessary, on April 6. On that same day, he sent a special messenger to Charleston, with the following announcement to Governor Pickens: "I am directed by the President of the United States to notify you to expect an attempt will be made to supply Fort Sumter with provisions only; and that if such an attempt be not resisted, no effort to throw in men, arms, or ammunition will be made without further notice, or in case of an attack upon the fort." This was delivered on April 8, and immediately telegraphed to Montgomery.

On receipt of this announcement Jefferson Davis hurriedly called a Cabinet meeting, and laid the whole Sumter problem before his advisers. Robert Toombs, secretary of state, told Davis that "The firing upon that fort will inaugurate a civil war greater than any the world has yet seen." He was opposed to any attack upon the fort by the Confederates. "Mr. President, at this time it is suicide, murder, and will lose us every friend at the North. You will wantonly strike a hornet's nest which extends from mountain to ocean, and legions now quiet will swarm out and sting us to death. It is unnecessary; it puts us in the wrong; it is fatal."

On April 10, Davis ordered General Beauregard to demand the evacuation of Fort Sumter, and in case of refusal, to go ahead and "reduce it." On April 11, Beauregard made the demand of Major Anderson, who refused to comply, although he told the aides that his force would be starved out in about three days. That was reported to Davis, who replied: "Do not desire needlessly to bombard Fort Sumter. If Major Anderson will state the time at which, as indicated by him, he will evacuate, and agree that in the meantime

he will not use his guns against us unless ours should be employed against Sumter, you are authorized thus to avoid the effusion of blood. If this or its equivalent be refused, reduce the fort as your judgment decides to be most practicable." When this was communicated to Anderson, he announced, on April 12, that he would evacuate Sumter by the noon of April 15, and that he would not open fire upon the Confederates, unless some hostile act compelled him to do so, or unless before that time he received new instructions or additional supplies from Washington.

Beauregard's aides refused these terms, and announced that in an hour the Confederate batteries would open fire upon the fort. As the bombardment started, by a strange coincidence, a part of Lincoln's relief expedition was putting in toward the fort, but all the men could do was to watch the bombardment. This lasted all day, and began again actively on the morning of the 13th. In the afternoon, with the fort in ruins, Anderson accepted terms of evacuation. On April 15, President Lincoln called for 75,000 volunteers. War had begun.

No account of the causes of the Civil War, or the War between the States, as the South still prefers to call it, which is entirely satisfactory to both sides, has ever been written. Probably none will be, for centuries to come. Even now, after more than four hundred years, Catholics and Protestants are not in agreement concerning the causes of the Lutheran Revolt. The history of the Civil War, as taught in Northern schools, is ridiculed in the South, while that taught in the South is ignored or severely criticized in the North. Some historians are inclined to feel that both sides have something still to learn.

There seems to be a growing tendency to agree that the South had been developing as a separate and distinct section, if not a separate nation, with its own interests, social and economic. The growth of the North and West in very different directions intensified the contrast between those regions and the South. Furthermore, remaining as it had been from the beginning primarily an agricultural community, the South retained the states' rights philosophy, which had been held generally throughout the whole country while it was all primarily rural. As the North and West developed, their economic needs and interests sometimes came into collision with those of the South, as for example in the tariff.

But in spite of these divergencies, the sections might have remained on friendly terms if the North, the larger section, the one growing more rapidly, had not become convinced that the social and economic system in the South was wrong. To this conviction was added a feeling of responsibility for the spiritual and moral welfare of the South, expressed in the abolitionist propaganda. From the earliest days of the Plymouth and Massachusetts settlements the desire to reform others had burned brightly in the Puritans and their descendants. The South did not feel the need of being reformed; in fact, it resented the well-meant, but tactless efforts in its behalf. Because the reform was aimed at the economic system, or a part of it which was regarded as essential in the South, the bitterness aroused was particularly keen. With the impulse to defend slavery just as determined in the South as the impulse to destroy it in the North, trouble was bound to develop, and develop it did, as the preceding chapters show. Northerners pointed to the very existence of slavery as an outrage to their civilization and their virtue, Southerners pointed to abolitionism as a thoroughly offensive, intolerable interference in their own private affairs.

It seems moderately clear that the existence of slavery by itself would never have brought on a war. To get up a fight over slavery required an attack upon the institution. This attack was delivered by the abolitionists. As the aggressors in trying to overthrow a part of the established order they were responsible for the bitterness in the South. The radical and antislavery elements therefore, with their work, must be listed as one of the fundamental causes of the war, and the responsibility is a heavy one. The contest over slavery in the territories was the product of the dispute stirred up by abolitionists and the reaction against it. Every attempt to restrict slavery stimulated the defenders of it, and roused them to action. To argue that the abolitionists were not responsible is to argue that the man who insults a neighbor whom he considers undesirable is not the aggressor.

As for the immediate causes, it would seem that in attempting secession and in seizing federal property the southern states both as individuals and in their collective capacity as the Confederate government put themselves in the position of the aggressor. Southern writers argued then, as they still do, that the South did not want war and that there would have been none, had the North not commenced

the attack. Those who hold that belief overlook not only the seizure of property, but the infinitely more important attack on Fort Sumter. For a government which wanted only to be let alone the course of Davis and Beauregard with respect to it was, to say the least, very peculiar.

CHAPTER XLIV

MILITARY ACTIVITIES, 1861–1865

Before the Confederate attack upon Fort Sumter the North had been characterized by indifference or indecision, or both. There was no visible evidence of unanimity, nothing to indicate that in case of crisis the new President could depend upon adequate support. Even so influential a molder of public opinion as Horace Greeley of the New York *Tribune* urged that "the erring sisters" be allowed to depart in peace. The news of Sumter startled the North, and shocked it into action. Filled with that exaltation which comes with the knowledge that a crisis has arrived, men hurried to enlist, to save the Union. A war merely to exterminate slavery would have failed dismally at the start. A war to uphold the Union was immediately, and through the Northern states, almost universally popular.

THE RESOURCES COMPARED

As the two governments, Federal and Confederate, took stock of their respective resources, it must have seemed to the former that the war was won before it began, so great was its superiority in all material assets. Had the South not been driven on by the most sublime faith in the justice of its cause, it could not even have entered the struggle. The Union consisted of twenty-three states, with a population of twenty-two million seven hundred thousand, while the Confederacy had eleven states, with a white population of about five million ninety-six thousand. This discrepancy in numbers was in part made up by the obvious geographical advantages which the South enjoyed. Fighting on the defensive, the South had shorter lines of communication, with far less difficulty in transporting troops. Its territory was well served by rivers, which facilitated Confederate movements, and made obstacles for their opponents. If it had not been for the railways built during the preceding decade, the South might have won.

In other respects the odds were heavily against the Confederacy. The chief source of revenue of its citizens was cotton, worthless if cut

off from a market. The value of this asset was practically destroyed by the Union blockade. Thrown back upon its own resources, the South was badly off. Manufacturing had never developed there and the section could not be self-sustaining. In the North there was a wide variety of manufacturing, most of which could be turned to account either directly or indirectly in the prosecution of the war. New England and the Middle States had textile mills and machine shops in numbers almost sufficient to take care even of the abnormal needs of war. Moreover the highly diversified and very profitable economic life of the North had made available the necessary capital for a long war. There had never been enough accumulated capital in the South to finance its own peace-time needs.

The South had confidence in its military resources. The seceding states had fair supplies of arms and munitions at the start. A larger portion of the population had been accustomed to outdoor life, to horsemanship, and to the use of arms, than was the case in the North. It was a common prediction that one Southerner could "lick" at least four Yankees. Besides, some of the best army officers, and West Point graduates then out of the service, went with their states into the Confederacy.

Both sides had to learn the art of war from practice in the field, and there the immediate advantages of the South were at first obvious. It was not until after 1863 that Northern resources began to tell. In 1860 the regular army consisted of about sixteen thousand officers and men. None of the officers had ever seen service with large forces, not even during the Mexican War. When Lincoln called for seventy-five thousand volunteers there was no one fitted by experience to handle an army of that size. The War Department had no plans or machinery for moving, clothing, or feeding such a force. Worse yet, the War Department was in the hands of a professional politician, incompetent in everything except his chosen field.

After the call for volunteers, the President devoted himself to the task of keeping the border states in the Union. Because Maryland was divided, with part of the population notoriously hostile to the Union, troops were massed in Washington. Others were placed at Cincinnati, with evident reference to their possible use in Kentucky, and others in St. Louis, Missouri. In this last state there was a local civil war, between sympathizers of the two "nations" under

the direction of rival state governments. The work of Francis P. Blair and Captain Nathaniel Lyon finally kept the state in the Union.

BULL RUN

The volunteers and regulars collected in Washington remained there without any spectacular movement until midsummer. By that time the country was becoming impatient, and popular opinion was clamoring for an attack upon the Confederates. Their forces were just across the Potomac, almost within sight of Washington itself. Besides this army, under Beauregard, there was another Confederate force in the Shenandoah Valley, under General Joseph E. Johnston. Both of these threatened the Federal capital. In July, the administration planned to have General McDowell attack Beauregard. To make sure of success, General Patterson was sent to defeat Johnston, or at least to hold him in the Shenandoah Valley, so that he might send no reinforcements to Beauregard. Patterson, however, was no match for Johnston, and before the Federal commander knew what had happened, Johnston's whole force had gone to Beauregard's assistance.

The Battle of Bull Run started on July 21, and for a time, in spite of the inexperience of the troops, the Union commander had his plans working well. By three o'clock in the afternoon it appeared that he had won a brilliant victory. But the arrival of a fresh detachment of Johnston's army enabled the Confederates to turn the tide, and the Federal forces broke and ran. The volunteers, plunged into hopeless confusion, were unable even to obey orders; further fighting was out of the question. What had been an army became a panic-stricken mob, and what should have been a retreat became a disorderly flight. Most of the men were stopped when they reached their fortifications south of the Potomac, but some crossed the river and hurried into Washington.

The defeat was perhaps not a bad thing for the North. It put an end to any notions that the Confederates could be easily conquered, or that the war would be short. The South was in earnest, and it had given a thoroughly unpleasant demonstration of Confederate generalship in action. As a result of Bull Run the North settled down to prepare for a long struggle.

The day after the Battle of Bull Run, Lincoln called upon General George B. McClellan to take command of the forces around Wash-

ington. McClellan had been at work in the western part of Virginia, where Union sentiment was strong, and where the people had carried the idea of secession one step further. They withdrew from Virginia, and formed a new state, loyal to the Union. McClellan had had little to do there, but thanks largely to good fortune, he acquired the reputation of a successful man. His record before the war had been noticeable, and the country turned to him to end the struggle.

McClellan was of too slow and cautious a nature to be a great soldier. To him victory meant simply the application of superior force; he could never have accomplished anything where cleverness and audacity in maneuvering his men counted. Never willing to take any chances, he spent months in drilling the collection of volunteers into a regular army, and by November 1861, it seemed that this part of his work was finished. His plan was to develop a perfect fighting machine, of at least two hundred fifty thousand men. With that army, an overwhelming force, he counted on a march to the Confederate capital. But much to the disgust of the President and the country, he spent all the fall and winter in getting ready.

THE PENINSULA CAMPAIGN

Between Washington on the Potomac and Richmond on the James lie two rivers, the Rappahannock and the York, which run through marsh land, swamps, and forests. Although the shortest distance between the two capitals is hardly over a hundred miles, no army could travel in a straight line. McClellan's first plan was to move his force overland, keeping it between Washington and the Confederate army. Then he suddenly changed his mind, and decided to send his men around by boat to the peninsula between the York and the James. That route seemed to offer fewer natural obstructions. Lincoln sanctioned the change, with the express condition that Washington be fully protected meanwhile.

McClellan had an army three times as large as that of Johnston, then in command in Virginia, better equipped, and in every way better prepared for battle. According to the conclusions of military experts, if McClellan had advanced at any time in January and February, he could have easily won a decisive victory. Had Grant been in command at the time, it is reasonably certain that he would have beaten Johnston without difficulty.

Being a general rather than a mere army organizer, Johnston

expected McClellan to attack him, and, because of his inadequate force, he removed his men to positions more easily defended. In March McClellan learned of the retreat, and sent sixty thousand of his men forward. Then they came upon the dummy artillery which Johnston had left to deceive his opponents. In the spring Johnston's force, which had been reduced almost to nothing during the winter, was given a new lease of life. Both the Confederate government and the state authorities in Virginia worked to raise men, and by spring, the Confederates had a powerful army, under two of the ablest commanders of the war, Johnston and Lee.



McClellan's Peninsular Campaign

Just as McClellan was starting, Lincoln decided that McDowell, with a force of thirty-five thousand men should be left at Washington, to make the city proof against any attack. Even without these, McClellan had a larger force than the Confederates could place against him. In April the real advance began. With his army on the Peninsula, between the York and the James, McClellan was faced by a Confederate force of eleven thousand. Instead of trying to break the line by an attack, he settled down to besiege Yorktown, thereby giving the enemy ample time to reinforce their troops around Richmond. During May the Union force worked up toward Richmond. By June McClellan was within striking distance of the Confederate capital, with one hundred thousand men. Lee, opposing him, had about seventy thousand.

At the same time General "Stonewall" Jackson was maneuvering

a Confederate army in the Shenandoah Valley. He defeated Banks, the Union commander, and frightened the Federal government into thinking that he might attack Washington. Lincoln then ordered Frémont from West Virginia, and McDowell from Washington to join Banks in an attack on Jackson. Once that movement had gone so far that the men could not be recalled for use to help out McClellan, Jackson made a rapid move to Richmond, arriving there before the end of June. His strategy had isolated a Union army in the Shenandoah, and made it possible for him to join Lee's army before Richmond.

Jackson's maneuver was probably the determining factor in the Peninsula campaign. Even though McClellan had been deprived of McDowell's division, he had more men than Lee, and a less cautious commander would have done something with them. His inability to act, plus Jackson's arrival, seems to have destroyed what little confidence the administration had left. McClellan might have been left on the Peninsula, as a constant threat to Richmond, and to Lee's army, but Halleck, the new commander-in-chief, becoming alarmed over Jackson again, ordered McClellan's army to return to Washington. The Peninsula campaign was over, with nothing to show for it except losses of fifteen thousand on the Union side, and nineteen thousand on the Confederate.

THE BLOCKADE

Fortunately for the Union cause other ventures were more successful than McClellan's fruitless efforts in Virginia. On April 19, Lincoln had announced a blockade of the Confederate coast from South Carolina to Florida. In order to extend this, and to make it more effective, certain permanent bases were needed on the shore. Late in August an expedition sailed from Fort Monroe for the North Carolina coast, and captured Forts Hatteras and Clark, on islands off the coast, points of great strategic value in the Federal blockade of the Confederacy. In January, 1862, Union forces captured Roanoke Island, and in March they took possession of New Berne, Fort Macon, Beaufort, and other neighboring points. Enough territory was taken to enable General Burnside to establish a temporary government. In November, 1861, Union forces seized Hilton Head, South Carolina, as another link in their blockading operations.

In March, 1862, shortly before McClellan moved his troops to the

Peninsula, the Confederate navy put into service the old frigate *Merrimac* newly made over into a great ironclad, renamed the *Virginia*. On the 8th, she steamed into Hampton Roads, rammed and sunk the *Cumberland*, and forced the *Congress* to surrender. That same evening, a Union ironclad, the *Monitor*, arrived in Hampton Roads. She was a curious looking craft, with her deck only a foot above water, with a round turret in the center. Although she carried only two guns, her revolving turret and mobility gave her the advantage over the lumbering *Merrimac*. On the morning of March 9, the two vessels plunged into a furious gunnery duel, at close range. Neither was able to get a decisive victory, but the *Merrimac* was obliged to put back to port for repairs; although she was restored to the service again, the Confederates refused to risk her in another fight. This battle revolutionized the art of naval warfare. Henceforth dependence on wooden ships was far too risky, and various European navies began to build Monitors.

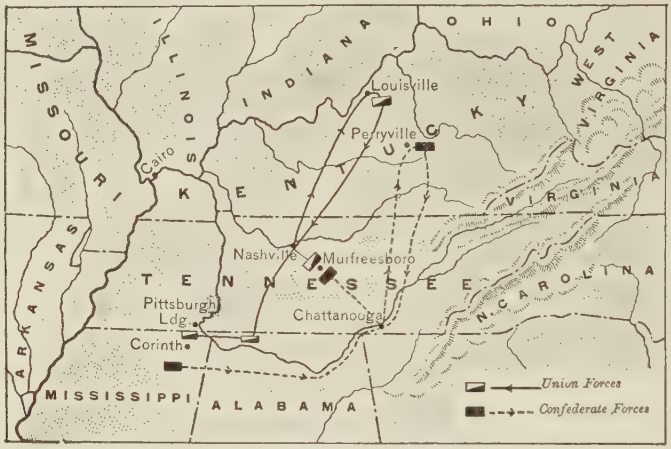
WESTERN CAMPAIGNS

In the West, during this same winter and spring of 1862, other movements were going on, strategically just as important as those in Virginia, and more satisfactory to the Union. The key to these western campaigns is to be found in the western end of Kentucky, where the state narrows down between the lower Ohio and the Tennessee boundary. The places of cardinal importance were Cairo, Illinois, just across from Kentucky, where the Ohio joins the Mississippi, and Memphis, Tennessee, a railroad center on the Mississippi River. From this strategic section were rivers and railroads, leading into the very heart of the Confederacy. The significance of this region as a possible back door into the enemy's country was not appreciated in Washington until one or two welcome victories had been won there.

Early in 1862 Halleck was in command of the Union forces between the Mississippi and Cumberland Rivers, Buell between the Cumberland and the Alleghenies. The Confederate General, Leonidas Polk, before the war a bishop in the Episcopal Church, had seized the river terminal of one of the railroads, the Mobile and Ohio, at Columbus, Kentucky. To clinch their hold on the region, and to safeguard the railroads to the south, the Confederates then built two forts, Henry, on the Tennessee River, and Donelson on the Cumberland, both in

northern Tennessee, about twelve miles apart. By the time the Union forces were thinking of action there, the Confederates were firmly established.

One of the Union brigadier generals in the West, in charge of a lot of obstreperous volunteers, was Ulysses S. Grant, a West Point



OPERATIONS IN THE WEST

graduate, thirty-nine years of age. He had resigned from the army in 1854, and his friends thought that he was a hopeless failure. Added to his inability to make a living was a liking for liquor, which threatened for a time to get the better of him. Because of his reputation he found it difficult to get back into the army when the war started, but he was finally placed in charge of some western regiments.

Grant established his headquarters at Cairo, and occupied Paducah and Smithland, at the mouths of the Tennessee and Cumberland Rivers. On February 1, 1862, after some hesitation Halleck authorized Grant, with the assistance of Commodore Foote and some gunboats, to move against Forts Henry and Donelson, and Island No. 10, in the Mississippi below Columbus. In strange contrast to McClellan, Grant had his forces in motion on the next day. On February 6, Fort Henry surrendered. Grant then began his attack on Fort Donelson. Should this fall, the whole of Tennessee between the Alleghenies and the Mississippi would be open to a Union advance.

On the morning of February 15, Grant's troops faced Fort Donelson. He was expecting to lay siege, and on that particular morning he was five miles away, conferring with Foote, on board a gunboat on the Cumberland River. Contrary to his expectations the Confederates attacked, and nearly succeeded in making an escape. Grant returned in time to save his men from defeat, and most of the Confederates were driven back into the Fort. Then their two leading generals there, Floyd and Pillow, decided to flee before they were compelled to surrender. Their hasty withdrawal left Buckner in command.

On the 16th, Buckner asked for terms, and Grant replied, "Nothing except unconditional and immediate surrender can be accepted." Buckner yielded to these "ungenerous and unchivalrous terms," as he called them, and Union forces took possession of Donelson. Buell entered Nashville without a fight. This victory forced the Confederates to withdraw to the next line which could be defended, that running from Memphis through Corinth to Chattanooga. By April, Grant, with forty-five thousand men, was stationed at Pittsburg Landing, less than twenty miles from Corinth, and Buell was moving to join him with thirty-six thousand more.

Grant's success in the West was more than ample compensation for the Union loss at Bull Run the preceeding summer. Northerners found reason for encouragement, almost for the first time since the war had started, and the Confederates were correspondingly discouraged. The effects of the victories were felt even in England, where prophesies of the ultimate success of the Confederacy became somewhat less confident.

Once in camp at Pittsburg Landing, Grant waited for Buell's arrival, not expecting a Confederate attack. By April 2, Buell's advance forces had arrived at the river, opposite Pittsburg Landing, but had not crossed. Grant's line was two miles long, and one of his divisions was five miles away. No attempt was made to throw up entrenchments, and the men were left in a position of serious danger in case the Confederates cared to move.

The Confederates at Corinth were in command of General A. S. Johnston, with Beauregard and Bragg under him. With his usual quickness Johnston took in the situation, and on April 6, in the battle of Shiloh, he attacked the Federal line with his whole force. Grant was then having breakfast at Savannah, five miles away from the

point of attack. Hearing the noise of the guns, he hurried to the scene, and put his men to work. The battle lasted all day. Johnston himself was killed, but Beauregard carried on the attack. By nightfall the Union line was in the hands of the Confederates. Beauregard was all ready to begin again on the next day, and, confident of victory, he telegraphed to Richmond that the battle was won. Delighted with the news, only a month after the loss of the first Confederate line in Tennessee, Jefferson Davis sent a special message to his Congress. "I am able to announce to you, with entire confidence, that it has pleased Almighty God to crown the Confederate arms with a glorious and decisive victory over our invaders."

Davis, however, was not infallible in interpreting divine intentions. Before the morning of the 7th, Buell arrived with twenty thousand fresh troops, ready for immediate action, and Grant was able to take the offensive. Before the end of the day the Confederates were defeated, and Beauregard took his men back to Corinth. In May the Confederates evacuated Corinth, and then Memphis. By the middle of June 1862, the Federals controlled the Mississippi as far south as Vicksburg, and they had driven the Confederates out of their second line of defense in southwestern Tennessee. Vicksburg on the Mississippi and Chattanooga in southeastern Tennessee both lay open to an immediate attack. But Halleck who took command there for a time was too cautious to follow up the advantages which Grant had gained, so in that quarter the Confederates remained undisturbed for a few months more.

In April 1862, less than three weeks after Grant's victory at Shiloh, Federal forces captured New Orleans. The combined efforts of the War and Navy Departments provided a fleet of twenty-seven vessels, including gunboats under command of Captain Farragut, and in addition transports for fifteen thousand troops, under command of General Benjamin F. Butler. The city was defended by forts and by a fleet of fifteen vessels, one of which was an ironclad ram. Farragut expected to run past the forts, capture or destroy the fleet, and attack New Orleans directly. On April 24, early in the morning, his own fleet started up the river. The boats ran past the forts, through a heavy bombardment, and then attacked the Confederate fleet. This did some damage, but the northern ships suffered more. On the 25th, however, the Federal fleet was ready to bombard New Orleans. The authorities refused to surrender, and set fire to everything which

the Federals might use: steamboats, coal, and cotton. On May 1, Butler marched in with a force of marines, and New Orleans came into Union hands, for the rest of the war. The populace was inclined to make trouble for the newcomers, but General Butler soon convinced them of the wisdom of keeping quiet. In doing so, he was perhaps oversevere and ruthless, but there seems to be little doubt that the city had given serious provocation.

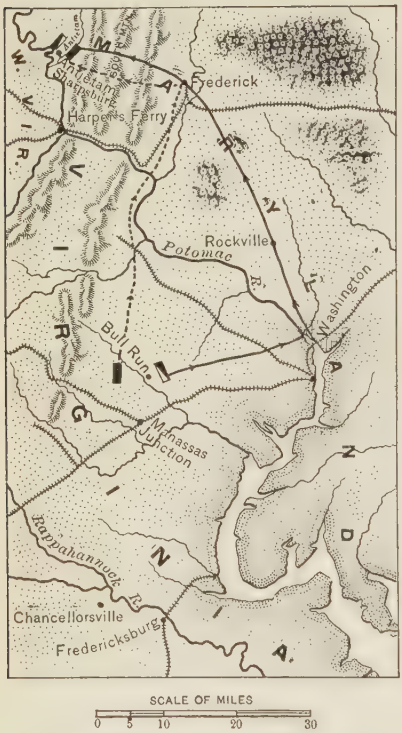
After the loss of New Orleans, the Confederates fortified Port Hudson, Louisiana, which guarded the mouth of the Red River. This was the broad highway for food supplies coming into the main part of the Confederacy from Texas and Arkansas. Between Port Hudson and Vicksburg, a distance of one hundred twenty-five miles, the Confederates continued to hold the Mississippi until the summer of 1863.

ANTIETAM

The autumn of 1862 was not so favorable to the Union arms as the spring had been. Early in September Lincoln placed McClellan back in command, from which he had been removed after his failure on the Peninsula. Inside of two weeks Lee presented him with an opportunity to capture half his army. But according to custom McClellan spent the night in thinking it over, and by morning Lee had closed up the hole in his line. Lee was moving up into Maryland, right after harvest time, evidently determined to seize a supply of wheat. On September 17, the two armies met at Antietam. If McClellan had known how to handle an army he might have inflicted a decisive defeat upon Lee. Instead, he let the Confederates get away, and worse yet, allowed them to retreat into Virginia without making any attempt to stop them. McClellan allowed Lee five weeks for rest and recuperation, and then the cautious Union commander crossed over into Virginia. It is not surprising that on November 7, Lincoln again removed him from his command, for the second and last time. There is little that can be said in defense of McClellan, except that he had no superior at organizing green troops, and that other commanders were equally, or more, incompetent. Once he got his forces in shape, he never knew what to do with them. His one great weakness, a fatal one in a soldier, was absolute inability to visualize a situation which confronted him. Never aware of his own overwhelming strength, he never appreciated the weakness of his opponents. It took two years to weed out of the army these useless generals who did

not know how to fight, and to find commanders who could use the armies put at their disposal.

In the same month of September, 1862, when Lee was moving toward Maryland, General Bragg led a Confederate force from Chattanooga north toward Louisville, Kentucky. But Buell reached the city before Bragg, and on October 8, met him at Perryville and defeated him. Again during the same fall he started for Nashville, Tennessee. Getting as far as Murfreesboro, he was attacked and beaten by General Rosecrans. Bragg then went back to Chattanooga, where he stayed for more than six months.



First Invasion of the North

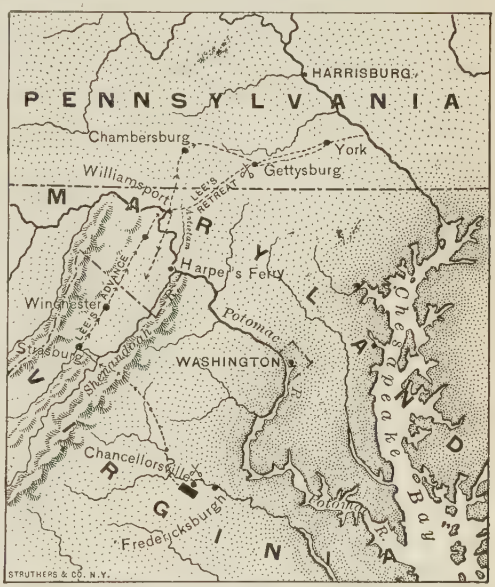
To take McClellan's place as commander of the Army of the Potomac, the President selected General Ambrose E. Burnside. He decided to move directly against Richmond by way of Fredericksburg. On December 13, 1862, with one hundred six thousand men, Burnside began the attack upon Lee, with seventy-two thousand. Two days later the Federals recrossed the Rapahannock, badly beaten, with a loss of over twelve thousand men. This costly experiment cost Burnside his position. The next Union commander selected was General Joseph Hooker.

Spending the early spring in reorganizing the forces, badly demoralized after Fredericksburg, he was ready for action before the end of April 1863. The Battle of Chancellorsville, lasting from May 1 to May 3, consisted largely of a series of blunders and misfortunes on Hooker's part. Which predominated, no one but a military expert could say. But the result was evident, and painful. Again the Federal forces were badly beaten, this time with a loss of nearly

seventeen thousand men. The Confederates might well have been pardoned in their belief that Lee was invincible.

GETTYSBURG

In June, 1863, Hooker followed McClellan and Burnside into the background, and General Meade was placed in command of the ill-fated army of the Potomac. The fact that the army, and the whole Union, did not give way to discouragement after Fredericksburg and Chancellorsville is a tribute to the spirit of the time. Instead, still hoping in spite of the miserable record of 1861, 1862, and the early part of 1863, they watched Lee make another effort to carry the war into Union territory. By way of the Shenandoah Valley he moved rapidly north, and by June 29, his forces were stretched from Chambersburg to Harrisburg, Pennsylvania.



SECOND INVASION OF THE NORTH

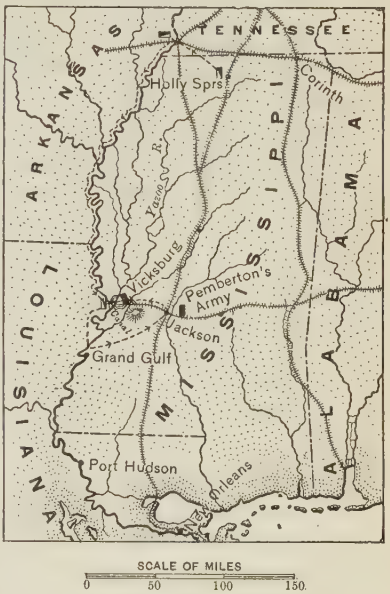
Meade had taken command of the Union army just the day before. He aimed at the control of Gettysburg, in order to prevent Lee from turning south again. The attack came on July 1, and for two days the battle continued, without obvious advantage to either side. On the afternoon of July 3, Lee decided to send a division of fresh troops against the center of Meade's line. The Union artillery had full command of the ground immediately in front of that point, but Lee, having acquired a habit of victory, disregarded the danger. Pickett's men, who made the charge, crossed the intervening space between the two armies, in the face of deadly fire, and began hand-to-hand fighting with the Federals. But

this time the Union line held, and the Confederates dropped back. Pickett lost two thirds of his command. This ended the heaviest fighting of the battle of Gettysburg. Lee lost twenty-two thousand men, or nearly thirty thousand if the prisoners taken are included, men whom he could ill spare. The Union forces lost eighteen thousand, or over twenty-three thousand including prisoners. On the evening of July 4, in a heavy downpour of rain, Lee took his men back to the Potomac River. Because of the high water caused by the rain, the Confederate army spent about a week on the Maryland side, unable to get across. Meade wanted to attack at once, before the floods subsided, but nearly all his corps commanders advised against it, so Lee again got away.

Even though Lee escaped, the Union victory at Gettysburg marked the turning point of the war. Gettysburg represented the utmost that Lee could do, and it was not enough. For the future, he was destined to find it more difficult to secure both men and supplies, so that he was obliged to remain on the defensive. He could still cause almost endless trouble to those Union forces engaged in the long-drawn-out, seemingly hopeless task of taking Richmond, because his abilities shone most brilliantly in defensive work. But after the summer of 1863 the North was never again in danger of Confederate invasion. Moreover, although the end of the war was not in sight, the nature of the final outcome was. The South had staked its hopes of success upon European help. Aside from their English-built commerce raiders they had been able to get little, in the first two years of the war, and after Gettysburg, help from that quarter was out of the question. For the Confederacy after 1863, in spite of brilliant fighting, the war became an endurance test, with only one possible outcome—defeat. It required more courage to admit this than to keep on fighting, so the war continued. If the Confederates could have brought themselves to yield, they would have avoided the losses inflicted by Sherman's spectacular march, and the grinding poverty which inevitably came as a result of continuing with insufficient means. In 1863 the Confederates were not worn out; in the spring of 1865 they were. It was unfortunate for them and for the Union, that their judgment was not equal to their courage in battle.

VICKSBURG

Had there been any doubt in the minds of any Southerners after Gettysburg that their cause was doomed to failure, that should have been removed by the news from the West. On the same July 4 that saw Lee's rainsoaked veterans retreating to the Potomac, Grant captured Vicksburg, and virtually opened up the whole Mississippi to Union control. Vicksburg was on a ridge of high bluffs, overlooking the Mississippi, and protected from attack by a long stretch of marsh land to the north. It was accessible from the east and southeast, but these approaches were heavily fortified. Grant had tried various schemes for getting near the place, and every one had failed. He had taken the greater part of his army over to the western side of the river, and after reducing his problem to its lowest terms, he decided to cross the river below Vicksburg, and work toward it from the southeast. On April 30, 1863, Grant landed his forces at Brownsburg, Mississippi, and began his march. Cutting loose entirely from his base of supplies,—and incidentally from the possibility of restraining orders from Washington—he had his men carry rations for five days. Grant's own personal baggage consisted of "a brierwood pipe, a pouch of tobacco, and a tooth-brush." Picking up supplies as he went along, creating wagon trains out of Confederate farm wagons, fighting the Confederate generals, Pemberton and Joseph Johnston, Grant pushed steadily forward. On May 14, he captured Jackson, the state capital. By May 19, Grant took possession of the heights on the river just north of Vicksburg, and so got in touch again with his supplies. The Confederates were penned up in Vicksburg, with Grant's army on two sides and in the rear, and with Porter's gunboats in front.



THE VICKSBURG CAMPAIGN

Grant's achievement was one of the most remarkable of the war. "In nineteen days Grant had crossed the great river into the enemy's territory, and marched one hundred and eighty miles through a most dfficult country, skirmishing constantly, had fought and won five distinct battles, inflicting a greater loss upon the enemy than he himself sustained and capturing many cannon and fieldpieces, had taken the capital of the State and destroyed its arsenals and military manufactories, and was now in the rear of Vicksburg."

Unable to take the town by storm, Grant settled down to a siege, and the army and population were finally starved into submission. On July 4, the place surrendered. With Vicksburg gone, Port Hudson had to yield, and it surrendered on July 8. The capture of these two points gave the river to the Union, and more. It separated Texas, Arkansas, and Louisiana from the rest of the Confederacy, and by so doing, it cut off the most important source of supplies which the Confederates had left. With this opening permanently closed, and with the blockade working more effectively, the Confederacy was thrown back upon her own resources, insufficient at best, and now badly depleted after two and a quarter years of war.

Of the three main keys to the Confederacy: Richmond, Vicksburg, and Chattanooga, the Federals had full control of one. During the fall, they got the second, Chattanooga. Late in the summer of 1863, Rosecrans began to move against Bragg's army, in central Tennessee. Gradually pushing the Confederates back, Rosecrans was able on September 9, to occupy Chattanooga, while Bragg crossed the line into northwestern Georgia. Here he paused, to consolidate his forces. Rosecrans hurried after him running serious risks as he did so by separating his divisions. On September 19, Bragg began an attack, which ended in the battle of Chickamauga. Worn out with anxiety, Rosecrans seems to have lost his nerve. In any case his strategy was poor, and on the 20th, his troops were in full retreat to Chattanooga, nearly fifteen miles away. Except for General Thomas, the defeat might have been decisive. As it was, Rosecrans was almost besieged in Chattanooga, with an inadequate supply line to the north.

CHATTANOOGA

The administration sent reinforcements from the army of the Potomac, and placed Grant in full command of all the armies of the

West, except for the forces in the Gulf states. His first step was to set Rosecrans aside, and put Thomas in charge at Chattanooga. On October 23, Grant himself, "Wet, dirty, and well," rode into Union headquarters. A month later, with the necessary reinforcements available, Grant was ready for work. The battle of Chattanooga, which lasted from November 23 to the 25th was one of the most spectacular of the war. Thomas began the attack, and drove the Confederates out of their first line. At midnight, Sherman began to move his forces across the Tennessee. On the 24th, Hooker won the battle of Lookout Mountain. On the 25th, Thomas's troops were ordered to take the Confederate rifle pits at the foot of Missionary Ridge. They did so, but instead of waiting for further commands, the whole force, eighteen thousand men, in the face of murderous artillery fire, climbed the ridge, and in "one of the greatest miracles in military history" drove the Confederates in confusion down the other side. The battle of Chattanooga was as important as the victory at Vicksburg; it ended all hope of the restoration of Confederate control in Tennessee, and, more important still, gave the Federal forces an open door into Georgia.

On February 29, 1864, Congress revived the grade of Lieutenant-General, hitherto held by two men only in the United States, George Washington and Winfield Scott. Lincoln appointed Grant to the position, thereby putting him in full charge of all the military operations of the war. On March 9, Grant received his commission, from the hands of President Lincoln. By that time, the ultimate supremacy of the Federal cause was evident to every one, probably even to the Confederates themselves. The conscription act was furnishing plenty of men, the Treasury was providing the necessary funds, and the preceding years had brought to the front generals who could win victories. By 1864 Sherman, Thomas, Sheridan, and Grant had passed the test of actual service, and had got results. At last, the Union armies had commanders who were in every way the equals of Joseph Johnston and Lee.

THE WILDERNESS

Grant's plan was to lead the ill-fated army of the Potomac, with the defeat of Lee's army, rather than Richmond, as his main objective. For the first time in the war the Confederate capital became a secondary consideration. At the same time, Sherman, now in com-

mand of the armies in the West, was to move from Chattanooga into Georgia, against Joseph E. Johnston's force. And yet in spite of bright prospects and high hopes, the North was destined to another summer of disappointment. Grant crossed the Rapidan on May 3, 1864, and moved into a stretch of territory not far from Chancellorsville, known as the Wilderness. Half way through this desolate fifteen mile stretch he was attacked by Lee, whose troops had moved in by roads crossing Grant's at right angles. The two days battle there was a draw, "a compound murdering-match" with the losses approximately equal on both sides, probably about seventeen thousand apiece. Lee failed in his attempt to prevent Grant from passing through the Wilderness, while Grant was as far from capturing Lee as before.

Hitherto, after a contest of that sort, the army of the Potomac had retreated, for repairs and a new commander. This time, to the surprise of the Confederates, it showed no desire to retreat. On the contrary, Grant's next move was toward Spottsylvania Court House, about fifteen miles distant. Again Lee refused to be passed, and again Grant plunged into heavy battles, lasting really from the 8th to the 18th of May. This fighting around Spottsylvania cost Grant nearly eighteen thousand men. The Confederates did not report theirs, but they probably lost as many. During the first twelve days of June, in the next series of engagements, around Cold Harbor, Grant lost ten thousand. Still determined to keep on, Grant next aimed at Petersburg, twenty miles below Richmond, the railroad center for a number of lines from the South. Unable to capture the place at once, Grant decided on a siege.

With Grant tied up before Petersburg, Lee tried the same maneuver which had wrecked McClellan's Peninsula campaign two years before: a raid down the Shenandoah Valley toward Washington. General Early, in command, threatened the national capital, and then, during July and August, sent cavalry parties into Maryland, and as far north as Chambersburg, Pennsylvania. Even if Grant could not capture Lee, he was able to put a stop to that sort of activity. Sheridan was sent into the Shenandoah with a large detachment of the Army of the Potomac. On September 19, he fought Early at Winchester, and on the 22d at Fisher's Hill. On October 19, at the battle of Cedar Creek, he drove the Confederates out of the valley. Carrying off what supplies he could use, he burned the rest. His

work of destruction there put an end to any further threats from the Shenandoah Valley.

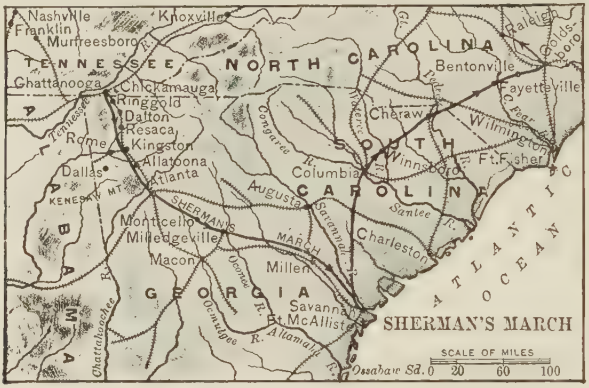
Although Grant kept up a constant pressure on Lee, there were no further significant developments in Virginia until the following spring. The disappointment of the North was bitter and intense. They had expected Grant to finish the war before winter, but so far as they could see, for a time, the most striking results were a steadily lengthening casualty list, with little to show for it. There is no doubt that Lee had certain advantages during these operations. He was on the defensive, his lines were shorter, and he was thoroughly familiar with every foot of the country. And yet Grant could stand that sort of campaign better than Lee, because the Union ranks could be filled again after the losses. Lee's could not.

SHERMAN'S ADVANCE

Except for Union successes in another part of the South, it is almost certain that Grant's failure to get decisive results would have brought about a change in the administration in the election of 1864. Fortunately reports from Sherman came in time to restore confidence. On May 5, while Grant was involved in the battle of the Wilderness, Sherman started from Chattanooga, with Atlanta as his objective. He had about one hundred thousand men, while Joseph E. Johnston, the Confederate commander in Georgia had about sixty-four thousand. This discrepancy was not great, because as Sherman advanced he was obliged to leave detachments behind him to guard his line of communications. The distance from Chattanooga to Atlanta is a little over one hundred miles, with a number of natural barriers in between. The two commanders were military geniuses of a high order.

Johnston took full advantage of the country to impede Sherman's progress, but refused to risk a general engagement. Time after time Sherman maneuvered him out of his position, whereupon he withdrew to a new one, in the rear, leaving the Union forces to begin all over again. By July, after eight weeks of this steady, relentless pushing, Johnston was forced across the Chattahoochee River, the last natural barrier before Atlanta. On the 17th Sherman took his troops across, ready for an attack upon one of the most important cities in the South. At this point Jefferson Davis sent the following telegram to Johnston: "As you have failed to arrest the advance of the enemy to the vicinity of Atlanta, far in the interior of Georgia, and express no

confidence that you can defeat or repel him, you are hereby relieved of the command." In Johnston's place the Confederate President put General John B. Hood, a reckless fighter, but nothing more. It was a case of the genius giving way to the daredevil. No one was



more delighted with the change than Sherman. Ever since May he had tried to induce Johnston to fight, but he could not bring on a general engagement. Nobody knew better than Sherman that Johnston's work during his retreat to the Chattahoochee had been of the highest order. With Hood in command Sherman's task was greatly simplified. He and his generals knew the man and knew that they would have little trouble with him.

On July 20, the Confederates attacked, near Peachtree Creek. They were driven back into their trenches, with a loss of six thousand men. On the 22d, in the battle of Atlanta, Hood lost about ten thousand more. The Confederates held out in Atlanta until September 1. That night, Hood destroyed some of the government property in the city, and then abandoned the place. Sherman occupied it, and made it his headquarters. Sherman's capture of Atlanta ranks in importance with the capture of Memphis, Chattanooga, and Vicksburg. Hitherto it had been entirely safe from any of the ravages of the War, and, trusting to its distance from the various scenes of fighting, the Confederates had made it into a manufacturing center, with textile mills and uniform factories. It was also an important center for cotton storage. Sherman had no intention of leaving anything in the city which would make it at all valuable to the Confed-

eracy. All factories, stores, machine shops, and other public buildings, including the railroad station, were destroyed. Sherman's destruction here nearly broke the back of the Confederacy. If the people objected to this sort of thing, Sherman insisted that "they and their relatives must stop the war." While the South was complaining about Sherman's barbarity, the North greeted the news of his exploits with tremendous enthusiasm. The capture of Atlanta was probably responsible for the reëlection of Lincoln.

Once in Atlanta, Sherman found himself in a peculiar situation. He did not wish to take his army back over the line to Chattanooga, and it would have been foolish to keep his magnificent force tied up there, with nothing but patrol work to kill time. By October he was trying to convince Grant of the feasibility of a march to Milledgeville, then the state capital, and to Savannah. "I can make this march, and make Georgia howl!" he insisted. If successful, as he confidently expected to be, this extraordinary expedition would hasten the collapse of the Confederacy. Georgia had become one of the most important sources of food in the South. Besides taking care of its own population and the army there, it was feeding Lee's army in Virginia. With this help cut off, Lee could not hold out much longer.

THE MARCH TO SAVANNAH

Early in November, Grant gave his consent, and Sherman prepared for the trip. All the sick and disabled were sent back to Tennessee, as well as all the baggage which could be spared. On November 12, Sherman cut his telegraph wires, so as to be free from any possible interference from headquarters, and four days later, with a carefully selected army of sixty thousand veterans, he started toward the southeast. Under the circumstances, his army had to find their food as they went along, and Sherman gave orders to forage liberally. This was supposed to be done, not by the men as individuals, but by properly organized foraging parties. It was impossible however to prevent the men from helping themselves. Sherman himself saw one private with "a ham on his musket, a jug of sorghum-molasses under his arm and a big piece of honey in his hand." On seeing his commander watching him with obvious disapproval, the unregenerate turned to the man beside him, and in tones loud enough for Sherman to hear, quoted from the general orders: "Forage liberally on the country."

Covering a stretch of country sixty miles in width, in the very heart of the best farming country in the South, Sherman's men destroyed everything that might be useful to the enemy. This included two hundred and sixty odd miles of railroad, with stations, buildings, and bridges. Cotton, cotton gins, and presses met the same fate. Sherman estimated the damage to the state of Georgia at one hundred million dollars, four-fifths of which was "simple waste and destruction." For a month Sherman pushed on toward the sea, and finally, on December 13, he reached the coast, and got into communication with the Union fleet off shore. His demand for the surrender of Savannah was refused, but on the night of December 20, the Confederates abandoned the city. Lincoln got word of the capture of this new prize on Christmas day.

In February Sherman's army, still practically as strong as it had been on its arrival in Atlanta, left Savannah for South Carolina. To reach Columbia, the state capital, it was necessary for the men to cross a number of rivers, and to overcome the obstacles prepared by the Confederates. On February 17, Sherman entered Columbia, and in the confusion of Confederate retreat and Union advance, somebody set the town on fire. The responsibility for this act has never been definitely fixed. By March 19, Sherman reached Goldsboro in the center of North Carolina, four hundred and twenty-five miles from Savannah. His advance to the north separated Charleston from the Confederacy, and on February 18, this important port was taken by the Federal fleet, without a fight.

In some respects, Sherman's march north was one of the most important events of the war, and "the greatest march ever made in a civilized country." It enabled the Union forces virtually to cut off all food supplies for the Confederates, which was the heaviest blow that Lee's army of northern Virginia had received since the beginning of the war.

THE END OF THE WAR

Under these conditions, with Lee and Johnston,—finally restored to his command—both caught between the armies of Grant and Sherman, the last campaign of the war was begun. In March, Grant was again moving toward his objective: Lee's army. On April 9, Grant and Lee met near Appomattox Court House, to arrange the terms of surrender. The contrast between the two men was striking.

Lee appeared in a new uniform, the very embodiment of military dignity. Grant came in the uniform of a private, with nothing but his general's stars to distinguish him from a common soldier. Always considerate and gentle in his personal dealings, the Union commander could not bring himself to refer to the occasion which brought him face to face with his great opponent. There was no trace of bitterness in his attitude, no suggestion of arrogance in his manner; those signs of littleness were as foreign to Grant as they were to Lee. The two men had met before, during the Mexican War, and Grant tactfully found in this an opening for their conversation. For half an hour they chatted pleasantly about those earlier campaigns, until Lee finally reminded Grant of the business at hand. The terms of surrender were then drawn up and signed. At Lee's request, Grant allowed the Confederate cavalrymen and artillerymen to keep their horses, as a help in their spring ploughing.

On April 26, Johnston surrendered his army of thirty-seven thousand to General Sherman. Their agreement also included some fifty thousand more, subject to Johnston's orders, in Georgia. The surrender of Lee and Johnston had ended the war, although Kirby Smith, the last Confederate commander in the field, did not give in until May 26, at Shreveport, Louisiana.

Jefferson Davis fled to Georgia, where he was captured on May 10. At the time of his capture he was wearing his wife's cloak, with a shawl over his head. Out of this incident the newspapers worked up a highly sensational account of his attempt to escape disguised as a woman. The President of the Confederacy was then imprisoned at Fortress Monroe.

Less than a week after Lee's surrender, while the whole North was rejoicing at the end of the war, and when it seemed that the heaviest trials were nearly over, President Lincoln was assassinated. On the evening of April 14 with a small party he went to a play in Ford's theater. Shortly before the end of the performance, John Wilkes Booth, an actor by profession, and a fanatic by temperament, gained access to the President's box. Before any one was really aware of the interruption, he placed a pistol directly against Lincoln's head, and killed him. Then he leaped to the stage, breaking his leg in the fall, but because of the general confusion he succeeded in making his escape. He took refuge in Virginia, but his hiding place was discovered, and upon his refusal to come out and surrender, he was shot.

Then his fellow conspirators were tried, convicted of conspiracy to commit murder, and hanged.

In the United States at the time there was one man who might have guided the difficult course of reconstruction through to a conclusion satisfactory to both sides, had he lived. That man was Abraham Lincoln. Possessed of an extraordinary understanding of human nature, and of wide sympathies, he could perhaps have compelled Congress to forego its punitive program. No one else could do it; perhaps even Lincoln would have failed, but he would at least have made the attempt. Before taking up that story there are other aspects of the war to be covered.

CHAPTER XLV

THE CIVIL WAR; NONMILITARY ASPECTS

FINANCE

During the Civil War, as in wars generally, the government found it easier to keep the ranks filled with men than to raise the necessary funds to carry the contest through. When the glamour of military service fails to make the country respond, a government can generally resort to conscription. But in the task of filling the treasury there is little opportunity to use the glamour of war as a means of appeal. Paying taxes is an unromantic business anyway, even in war time, and Americans always have been sensitive on that score. It is not as easy to conscript wealth as men. It can be done, but always at the risk of seriously upsetting the business world, on which private incomes depend. Convinced that the war would be short, Congress at first preferred to rely upon loans, by means of which the burden could be shifted forward to the shoulders of later generations. In July, 1861, Chase, the Secretary of the Treasury, was authorized to borrow $ 250,000,000. At the same time Congress levied a direct tax of $ 20,000,000, imposed an income tax of three per cent on incomes above $ 800, and increased the tariff rates. From time to time Congress either raised the rates on taxes already in existence, such as the tariff, or imposed new taxes in the form of stamp duties. It took time to realize the returns from these various sources, and Congress bridged the gap by authorizing the famous "Greenback" issues, that is legal tender, non-interest-bearing Treasury notes. The amount issued at first was $ 150,000,000, but before the end of the war they had been increased to $ 449,000,000. These followed the inevitable course of unsecured issues of paper money, and in 1864 when the Confederate General Early threatened Washington, their value dropped to thirty-five cents in gold. Throughout the war they fluctuated, as reports from the front were favorable or otherwise.

In the course of the war the government raised approximately $ 667,000,000 in taxes, $ 2,140,000,000 in loans, and the amount given

above in Greenbacks. Because the bonds did not sell as rapidly as necessary, in February, 1863, Chase induced Congress to pass the National Banking Act. This provided for the incorporation of banks throughout the country, the note issues of which were to be secured by government bonds. Every bank chartered under the Act was required to purchase bonds equal in amount to at least one third of its paid-up capital. These were deposited with the Treasurer of the United States, and held by him. Then the banks were allowed to issue notes equal in amount to ninety per cent of the market value of the bonds. This measure therefore provided a much-needed currency, and at the same time created a dependable market for the loans. In 1865 state bank notes were driven out of circulation with a ten per cent tax.

This bank note currency was fully secured, as long as the federal government survived, and it proved to be unusually helpful after the Greenbacks drove specie out of circulation. From the middle of the war on to 1879 the ordinary citizen saw no coin. Even the fractional silver currency disappeared, and its place was taken by fractional notes, known in the picturesque language of the day as "shin plasters." By these various expedients the Union raised the necessary funds for pushing the war through to a satisfactory ending.

ECONOMIC PROSPERITY

The success of federal finance was made possible by the extraordinary business "boom" which the North enjoyed during the war. Once the initial shock was over, business promptly recovered, and then it entered upon a period of expansion that was not checked until the great panic of 1873. This prosperity extended to all parts of the Union, and affected every phase of its economic life. The nation was still primarily agricultural, and the heavy increase in farm produce was a material factor in winning the war. There were good harvests every year, especially of wheat and corn, and in 1862 and 1863 there were "bumper crops" of wheat. In 1862 the Union states raised one hundred seventy-seven million bushels of wheat, four million more than the whole country had raised in its best year before the war.

This great agricultural activity was made possible by a number of factors. In 1862 Congress passed a homestead act, by which farms from the public domain were given away to actual settlers. This

tended to increase the acreage under cultivation. Then too in spite of the constant demands of the army, there was no serious shortage of labor because of the widespread introduction of labor-saving machinery. With the help of the machines women could take the place of men in the fields, and they did so, especially in the West.

Markets for the heavy agricultural output were found in various quarters. The army required more food than would have been necessary for the same number of men in civil life because of the wastefulness, inevitable and otherwise, inseparably connected with military life. There were also increasing demands for American wheat abroad. In 1861 crops failed all over Europe, while England suffered a second failure the very next year. In 1862 the United States exported sixty million bushels of wheat, three times as much as the average annual export for the preceding ten years.

The manufacturing sections were adding their increased demands for food, while every branch of industry was undergoing a remarkable expansion. The woolen mills were apparently the most flourishing of all. They were rushed to fullest capacity throughout the war, and for those days the profits were enormous. One manufacturer said that in the first few months of the war he had cleared $ 200,000, and he was then making $ 2,000 a day. The dividends paid by the woolen mills ranged from ten to forty per cent. Under the circumstances mushroom factories sprang up wherever there was available water power. In some parts of Vermont it is possible now to find the ruins of some of those little mills, ten miles away from any railroad. When the war came to an end they went out of business, and the only owners who got anything out of them after that were the more enterprising ones who were able to burn them for the insurance.

In Pennsylvania and the other states where iron and steel manufacturing plants were located, there were signs of prosperity almost equaling those in the woolen centers. The demand for farm implements, farm machines, textile machinery, and of course munitions kept them busy. In Philadelphia fifty-eight new factories were built in 1862, fifty-seven in 1863, sixty-five in 1864. Other cities reported equally interesting figures. It is worth noting that during the war years, more patents were issued than had ever been before in the whole Union. Five thousand were issued in 1864 alone, as against forty-two in the Confederacy.

This expansion in agriculture and in industry, added to the activity

of the War Department in transporting troops and supplies meant an equally big gain for the railroads. Every year of the war, railroad journals reported a steady increase in traffic and dividends. Companies paid off their indebtedness, and made good profits besides. On a number of lines, between 1860 and 1865 the freight and passenger traffic was doubled.

Unfortunately, the roads did not use their increased earnings to improve their equipment or their service. Accidents were far too frequent, and fatalities were increased by the fires that followed every wreck. With wooden coaches, heated by coal stoves and lighted by oil lamps the danger of fire was ever-present. One irate traveler complained that "passengers calculate beforehand upon being detained, frozen, and starved and consider themselves fortunate if they escape with nothing worse." Dining cars were unknown, until after the Baltimore and Ohio tried the first experiment with a lunch counter in the corner of a smoking car. The correspondent of the *London Times* declared that American travelers seemed to live on nothing but gum drops and tobacco, the only two commodities obtainable on the trains.

The Confederacy presented a very different picture. Never self-sufficing, either agriculturally or industrially before the war, and partly cut off from its sources of manufactures and food, its people had to familiarize themselves with a new type of farming and with manufacturing. Factories were built, notably in Atlanta, and machine shops were constructed, to provide tools and munitions, but there was nothing like the profitable economic expansion just described in the North.

Because of the absence of accumulated capital and the complete dislocation of the economic life of the Confederacy, Jefferson Davis's task of financing the war was much more difficult than Lincoln's. The Confederate Treasury started with about $ 20,000,000 in specie, a quarter of which was the federal money seized in the mints and customs houses when the war began; the rest was secured from the banks, in the first loan. This was soon spent in purchasing munitions and supplies abroad, and when it was gone the government depended upon unsecured note issues. Before the end of the war the Davis government had issued at least $ 1,000,000,000 in notes. At the beginning of 1863 the Confederate paper dollar was worth thirty-three cents in gold, by the end of that year five cents, and in April

1865 one and six-tenths cents. Flour cost $1,000 a barrel, coffee $40 a pound, wood $5 a stick. When the farmers refused to sell produce for this practically worthless paper, the government seized the supplies it needed. This rapid decline of Confederate credit was revealed again in the market value of the bond issues. The first loan of $15,000,000 was quoted at ninety in 1862, and at five or lower in 1864. Early in 1863 the Confederate Secretary of the Treasury, Memminger, arranged through the banking house of Émile Erlanger in Paris, for a loan of $15,000,000 at seven per cent. The principal was to be paid in New Orleans cotton six months after the end of the war. Erlanger bought the bonds at seventy-seven and sold them in England at ninety-five and a half. So enthusiastic were the English friends of the Confederacy that they oversubscribed the loan threefold in two days. After Chattanooga the bonds dropped to thirty-seven, and with the final Union victory they dropped to zero. The experience of Germany during the last war shows how far a government may go on insufficient financial resources, and the Confederacy undoubtedly would have lasted longer had it not been for the blockade. This practically throttled the South.

WAR GOVERNMENT

Aside from the military and financial problems both governments had to contend with a variety of difficulties that rarely if ever trouble a country in time of peace. The federal government underwent a vast increase in power, and numerous critics resented the change. Part of this transformation was permanent. The war called for the exercise of national authority in all directions. Congress levied direct taxes, endowed agricultural colleges, gave the Union Pacific Railroad its start, and in general pursued policies which would have scandalized the exponents of states rights. As a result of this widespread assertion of federal authority, in military matters, finance, banking, and education, the old idea of state sovereignty had to give way. At no time since 1865 has there been any doubt concerning the supremacy of the central government.

During the war itself the President assumed the powers of a dictator, and in that capacity authorized measures which were clearly unconstitutional. At the beginning of the war, Lincoln suspended the privilege of Habeas Corpus, although Congress is the only branch of the federal government with the proper authority to take that

action. In this matter the legislature supported the executive, so there was no danger of troublesome litigation on account of the step. With this safeguard of individual rights out of the way, arbitrary arrests were possible, and the President and his subordinates proceeded to muzzle the most outspoken critics of the war. Under the Constitution criticism of the government is hard to handle. In case of war it is not always safe for a government to distinguish between word and act, because the word may lead to, or incite others to open attacks. Lincoln assumed in various instances that the safety of the state required the incarceration of a number of people, and they were promptly arrested. These arrests were made without warrants, usually by federal marshals or military officials, and in many cases no formal charges were ever brought, and no trial took place. The length of imprisonment depended entirely upon circumstances.

These imprisonments were made on grounds of suspected treason, aiding the Confederacy, acting as Confederate spies, and harboring deserters. "Disloyalty" was the reason given for imprisoning certain prominent Democrats. Perhaps the most famous example was that of Clement L. Vallandigham, a prominent Ohio lawyer and former member of Congress. According to Rhodes, Vallandigham was neither straightforward nor sincere in his opposition to the war. He saw in it a possible source of political capital, and resorted to it to promote his own political fortunes. He had been notoriously bitter in denouncing Lincoln for his usurpation of power, and insisting that the war be stopped. In May, 1863, General Burnside, then in command in Ohio, ordered his arrest, and he was taken from his home by Burnside's officers. His demand for a writ of Habeas Corpus was denied, and he was tried by a military court. After the trial, the court sentenced him to imprisonment for the duration of the war. Lincoln, whose sense of humor never deserted him, changed the sentence to banishment to the Confederacy. The indignant Vallandigham was then taken South, and under a flag of truce was carried to the Confederate line. Failing to see anything humorous in his plight, and not caring to stay in the South, he got away on a blockade runner, and went to Canada. Then he became the Democratic candidate for governor of Ohio, and directed his campaign from Canada. Perhaps the attitude of his state can best be seen in the hundred thousand majority which it rolled up against him. After this abysmal failure he quietly returned home, and remained in

seclusion for the rest of the war. Lincoln left him alone, and little more was heard of him.

Authorities do not agree as to the number of these arbitrary arrests during the war. Rhodes investigated the subject very carefully, and came to the conclusion that, so far as the federal official figures go, the number was thirteen thousand five hundred thirty-five. But he says that others were arrested and confined in state prisons, and that there is no record of these cases in Washington. Some estimates run as high as fifty thousand, but they are clearly exaggerated.

Other manifestations of arbitrary power were to be found in the censorship of telegrams and newspapers. Naturally the papers were forbidden to carry important news regarding proposed troop movements, but sometimes they did so in spite of the obvious impropriety. Papers which indulged in too severe criticism of the President were suppressed, and sometimes the editors were arrested; in other cases mailing privileges were denied. Occasionally generals in command assumed the responsibility of stopping publications. Burnside refused to allow the New York *World* to circulate within his department, and he suppressed the Chicago *Times*. Lincoln, however, revoked his order regarding the *Times*. Between three and four hundred papers were suppressed, for longer or shorter periods during the war.

All this interference with the ordinary civil rights of American citizens was tolerated because the people felt that the war must be carried through, and because they were willing to uphold the President in the crisis. The border states, where the proportion of Confederate sympathizers was much larger than elsewhere, had to endure even more drastic measures of interference with their liberty. In Maryland, Missouri, and Kentucky troops supervised all the elections, to discourage voters who were opposed to the administration. According to one report, in a Maryland election of 1863, all the polling places were guarded by double lines of troops, and the voters had to pass down this line to vote. The ballots for the different tickets were printed on paper of different colors, and voters who called for the "rebel" ticket were promptly arrested.

Perhaps the crowning example of so-called arbitrary power was the conscription act of 1863. Under this measure all men between the ages of eighteen and forty-five were declared eligible for military service, except post office and railroad officials, clergymen, teachers, and

those physically disabled. The system of drawing was somewhat peculiar. Every Congressional district had to supply a certain quota. If enough men in a district volunteered, to fill this number, none were drafted. Where volunteering was not sufficient, the names of all those liable to service, on separate strips of paper, were put into a box, and those drawn were required to serve. But a drafted man was permitted to hire a substitute, the cost of which ranged from three hundred to fifteen hundred dollars. This was an obvious unfairness, because by putting a premium on wealth, it relieved from the necessity of service many whose families would have been provided for, while it compelled men to go whose families were in sore need. Enterprising insurance companies were ready to insure men against draft, and did so until the government put a stop to the practice.

This draft law aroused severe criticism, and in New York it was the occasion of serious riots, lasting several days, in which, according to some estimates, more than a thousand lives were lost. There were minor riots in Jersey City, and in Boston. Elsewhere the work of enrollment was carried through without unusual difficulty. By relieving the President and his generals of any anxiety on the score of men, the conscription measure proved to be one of the important factors in the Union victory.

WAR POLITICS

In spite of its value to the Union cause, the measure was one of the most unpopular of all the "arbitrary acts" of the administration, and it, along with the others, had a definite influence upon war politics. As the contest progressed, the intense enthusiasm in the North diminished somewhat, as did the almost universal determination to support the President. By 1862, when the Congressional elections came around, Lincoln knew that many Democrats who had upheld him in 1861 would vote against his party, and he knew that his party itself was torn with serious factional differences. In the Republican camp there were the radicals, who insisted upon immediate abolition, and the conservatives, who placed the preservation of the Union above everything else. In the President's Cabinet these factions were led respectively by Chase and Seward. Some Democrats supported Lincoln during the war, as for example Stanton and Andrew Johnson. Others, like McClellan, approved of the war, but disapproved most heartily of the Lincoln administration. Still others, known as "cop-

perheads" openly sympathized with the Confederacy, tried to block enlistments in the Union armies, encouraged desertion, and whenever possible sent important military information to the Confederate authorities. In prosecuting the war, Lincoln had always to keep this party situation in mind. Every new measure and proposal had to be considered, not solely on its intrinsic merits, but with reference to its possible effect on his own party, and upon the opposition. Next to winning victories in the field it was essential to retain a majority in Congress.

EMANCIPATION

In 1862 the chief issues were arbitrary government, and emancipation. The Democrats were opposed to both, while the Republicans tolerated Lincoln's "despotism." With reference to abolition the party was divided. Chase, Frémont, and Greeley were insisting upon immediate emancipation, while others were inclined to avoid that dangerous subject. Originally the Republicans had not been an abolitionist party, but as people came to realize how important slavery had been as a cause of the war, emancipation became popular. Some of the generals had tried emancipation, as Frémont had done in the West in 1861. Hunter likewise planned to set the slaves free in his department of South Carolina and Florida. But Lincoln realized the dangers involved in such precipitate action, and revoked both orders. Then the notorious Benjamin F. Butler hit upon the idea that inasmuch as slaves could be used on military works they were contraband of war, and for years in some places a negro was known as a "contraband." On the strength of this theory, Butler confiscated all the slaves within reach. Before the summer of 1862 Congress abolished slavery in the territories, and in the District of Columbia. Further steps in the attack upon slavery were taken in the confiscation acts of 1861 and 1862, which threatened some of the Confederates with the loss of all their property, unless they came to terms with the Union inside of sixty days.

Lincoln's own plan was compensated emancipation. With that in view he induced Congress, in April, 1862, to pass a bill offering loyal slaveholders three hundred dollars for every slave. In July the President invited the members of Congress from the border states to a conference on the subject, but they refused to consider the plan. Coming as it did so soon after McClellan's failure before Richmond, it is not surprising that the border states preferred to wait. Secession

was anything but a failure then, and if the Confederacy should succeed, they would probably wish to join it; in any case, they preferred to keep their slaves, rather than to accept payment for them in federal bonds, which might at any time become worthless.

Lincoln was bitterly disappointed at the failure of this policy, for it left him at the mercy of the radicals in his own party. They could now point to the failure of every compromise measure, and so insist that complete emancipation was the only possible policy. Horace Greeley, generally an extremist, who had urged the country to let the southern states go in peace, now came out as one of the leaders of the immediate emancipation group. In August, 1862, the erratic editor addressed an open letter to the President, calling it "The Prayer of Twenty Millions:"

"On the face of this wide earth, Mr. President, there is not one disinterested, determined, intelligent champion of the Union cause who does not feel that all attempts to put down the rebellion, and at the same time uphold its exciting cause, are preposterous and futile; that the rebellion, if crushed out tomorrow, would be renewed within a year if slavery were left in full vigor; that army officers who remain to this day devoted to slavery can at best be but halfway loyal to the Union; and that every hour of deference to slavery is an hour of added and deepened peril to the Union."

Lincoln's reply was characteristic:

"If there be perceptible in it [Greeley's letter] an impatient and dictatorial tone, I waive it in deference to an old friend whose heart I have always supposed to be right . . . As to the policy I 'seem to be pursuing', as you say, I have not meant to leave any one in doubt . . . My paramount object is to save the Union, and not either to save or destroy slavery. If I could save the Union without freeing any slave, I would do it; if I could save it by freeing all the slaves, I would do it; and if I could do it by freeing some and leaving others alone, I would also do that."

The President was already considering a plan of emancipation, primarily with reference to its effect on the prosecution of the War. He had no legal nor constitutional right to proceed against slavery in any state, but as a military dictator he could use his war power in any way that might embarrass the enemy. His first draft of the Emancipation Proclamation was written early in July, 1862. At the end of the month, after Congress had adjourned, he showed it to his Cabinet, with a request for advice concerning the wisdom of making it public. Seward suggested that the time was hardly auspicious then,

because of the unfavorable military situation of the Union forces. He would prefer to wait for a Union victory, so that the public would be in a better frame of mind. But Union victories were scarce during that part of the war. Lincoln finally published it on September 22, after McClellan had succeeded in checking Lee's progress at Antietam. It was to go into effect January 1, 1863. The gist of the proclamation was contained in the following sentence:

"All persons held as slaves within any state or designated part of a state the people whereof shall be in rebellion against the United States shall be then, thenceforward, and forever free."

Even a casual reading of the document makes it plain that the Emancipation Proclamation did not emancipate a single slave. It applied neither to the border states nor to those portions of the Confederacy then held by Union forces, the only places where an executive order of that sort would have any validity. It could not be made effective in the Confederacy, because the power of the federal government did not extend that far. Lincoln's famous document therefore was designed, not to free the slaves, but to announce a policy for the future, and incidentally, to please politicians like Chase and Frémont and editors like Greeley.

No further attempt was made to promote the cause of emancipation until December 1863. Then a member of Congress introduced into the House a thirteenth amendment to the Constitution, providing for the final, complete, and absolute prohibition of slavery everywhere within the jurisdiction of the United States. But Congress was not sufficiently in favor of the project to adopt the amendment, so further consideration of it was put off until Congress should meet again the following year. In December, 1864, the amendment was brought up again. On the last day of January, 1865, it passed the House, by a vote of one hundred nineteen to fifty-six. By the following December it was ratified by the necessary three quarters of the state legislatures, and put into effect.

In 1862 the country was certainly not ready for emancipation. The Democrats seized upon it as an issue, and in the elections the Republicans lost New York, Pennsylvania, Ohio, Indiana, Illinois, and Wisconsin. New Jersey which had gone against the Republicans in 1860, did the same in 1862. The administration majority in Congress was cut down to the narrowest margin.

CAMPAIGN OF 1864

This outcome naturally made the administration somewhat nervous as the presidential campaign year of 1864 approached. The disappointment over Grant's failure to bring the war to a speedy close found expression among the Republicans in criticism of Lincoln, and in demands for a more vigorous prosecution of the war. The radicals of the Chase-Frêmont school were especially outspoken in their desire for a new executive. This group attempted to carry the whole party with it by calling a convention of its own. Meeting at Cleveland, they drew up a platform advocating, among other things, a constitutional amendment to prohibit slavery, Congressional rather than executive control of reconstruction, and the confiscation of Confederate property. For their candidate they picked their first standard bearer, John C. Frêmont, a man who had an extraordinary facility in making a minimum of achievement produce a maximum of reputation.

When the report of these proceedings reached Lincoln, his comment was to open his Bible, and to read to his Cabinet one verse, I Samuel XXII: 2: "And every one that was in distress, and every one that was in debt, and every one that was discontented, gathered themselves unto him; and he became a captain over them; and there were with him about four hundred men." Lincoln's perception of Frêmont's lack of strength was finally borne in upon the man himself, and on September 21, Frémont withdrew from the campaign.

The regular Republicans, laying emphasis upon their war-time title of "the Union Party" met at Baltimore in June. They agreed with the radicals in calling for the thirteenth amendment, but disagreed with them in upholding Lincoln. Lincoln got all the votes except those of Missouri on the very first ballot. For vice-president the convention selected one of the conspicuous pro-war Democrats, Andrew Johnson of Tennessee. At the time his choice seemed to be an excellent piece of political strategy because it made the ticket acceptable to other Democrats; in the end it proved to be a genuine calamity.

The Democrats delayed their convention until August 29, in order that they might draw as much profit from the war as possible. During the first half of 1864 the Union cause had suffered, and they were waiting for it to collapse. Horatio Seymour of New York, a "peace

Democrat," presided, while the notorious Vallandigham of Ohio wrote the platform. It took the party twenty years to recover from the effects of that sort of leadership. The platform called the war a failure, and demanded peace at once, regardless of the Union. Their nominee was General McClellan, who at least had the decency to repudiate the Vallandigham platform. On September 1, the convention adjourned, prepared to go before the country with their war-is-a-failure platform, even though their candidate would not stand on it. On September 2 the first reports of Sherman's capture of Atlanta began to arrive. Before the end of the month Sheridan won his victories in the Shenandoah Valley, and Farragut had won another in Mobile Bay. The Republican newspapers ridiculed the Democratic platform, and Lincoln became more popular. In the election he carried all but three states: Kentucky, Delaware, and New Jersey, getting two hundred twelve electoral votes to twenty-one for McClellan. His popular plurality was nearly half a million. But his sucess was due largely, if not entirely, to the sudden change for the better in the field. Had Sherman been beaten before Atlanta, McClellan might perhaps have been elected, even though he had never exhibited any qualities which an executive position requires Voters in a democracy sometimes reveal weird vagaries in selecting their public officials.

CHAPTER XLVI

FOREIGN RELATIONS DURING THE WAR

From the outbreak of hostilities at Fort Sumter, President Lincoln held to the theory that the southern states had not left, and could not leave, the Union, that their attempt at secession had not made them into a different nation. They were still parts of the federal government, and instead of being at war they were merely in a state of rebellion. If this theory were sound, foreign governments would have no concern whatever with the contest. There were a number of difficulties with Lincoln's interpretation, not the least of which was the refusal of Europe to accept it. From their point of view the struggle was a war between two belligerants. Lincoln involved himself in inconsistencies by proclaiming a blockade, an act which virtually recognized Confederate belligerency. Even if he had not taken that step, it would have been impossible to make European nations look upon the struggle as a mere insurrection. Their own interests were affected, and they knew better.

SEWARD

In making Seward his Secretary of State Lincoln had been actuated and guided more by the necessities of Republican politics than by any deep regard for the foreign service as such. Seward was the most powerful leader in the party, and the administration had to recognize him by giving him the highest place in the Cabinet. Fortunately for the country, he proved to be an admirable man for the post. To be sure, it took him nearly two months to learn that he was not the President. Like many others, he had assumed that Lincoln was an untutored country lawyer, whose elevation to the presidency was due to the peculiar situation that had prevailed in 1860. As the recognized leader of the party, Seward took it for granted that he would continue to lead after March 4, 1861.

On April 1, 1861, without apparently appreciating the significance of the date, Seward submitted to his chief a remarkable document entitled "Thoughts for the President's consideration." In this he

told Lincoln that no policy had yet been adopted, that the country wanted one, so he had one all prepared. For a domestic policy he urged that the emphasis be shifted from slavery to union or disunion. With reference to foreign affairs, he suggested that England and Russia be called sharply to account, and that Spain and France be presented with an ultimatum and virtually threatened with a declaration of war. His idea was apparently to silence the contest at home by uniting the sections in a popular foreign war. In the war to be provoked, he assured the President, with becoming modesty, that he would not be unwilling to assume full charge. The belligerent secretary also sent communications to some of the American ministers in Europe which simply amazed men who knew anything about diplomacy. But Lincoln showed Seward his place so tactfully that he won his complete confidence and support, and once tamed he became one of the most valuable members of the administration. For minister to England the President selected, on Seward's advice, Charles Francis Adams, son of John Quincy Adams. He had all the ability of his celebrated father and grandfather, without their pugnacity and lack of tact. He was a clear-headed, even-tempered man, cool and distant as befitted a descendant of the New England Puritans, but able, in spite of these traits, to inspire confidence and to make friends. He arrived in London on May 13, 1861, nearly a month after hostilities had begun, and it fell to him to work against formal recognition of Confederate independence.

In the English Cabinet of the time Palmerston was Prime Minister, Earl Russell Secretary of State for Foreign Affairs, and Gladstone Chancellor of the Exchequer. Opinion in the country was divided from the beginning. The upper classes were strongly in sympathy with the South. The middle class element was opposed to slavery, but it found the Union policy so lacking in energy at the start that it hardly knew which side to take. English journalists in America were sending back reports of disunion and dissension, with little reference to anything else. The correspondent of the *London Times* wrote: "Practically, so far as I have gone, I have failed to meet many people who really exhibited any passionate attachment to the Union, or who pretended to be actuated by any strong feeling of regard or admiration for the government of the United States in itself." If this feeling of indifference and uncertainty prevailed in America, it is not surprising that English opinion should have been either puzzled, or

sympathetic with the Confederates. The business interests were alarmed at the prospect of a cotton shortage, and feeling that the South was destined to win sooner or later anyway, they suggested that the Union admit the fact in the beginning, and so save endless trouble.

The Continental nations usually got their information about American affairs from British sources, and at this time they were ready to let England take the initiative in dealing with the problem of the American war. England therefore became the central factor in the foreign problems of the war.

Jefferson Davis was convinced that in cotton he had a powerful weapon to use in dealing with foreign governments, and he assumed that it would bring recognition without delay. On May 3, two of his unofficial agents in England had an interview with Russell, looking toward recognition. A few days later Dallas, Adams's predecessor, received what he interpreted as assurance that no action would be taken until the new minister should arrive. Both sides therefore prepared to wait a few days more.

But on May 13, the very day that Adams arrived in London, the British government published its proclamation of neutrality. This was a recognition of the Confederacy as a belligerent power, and a formal notice that Great Britain at least considered the contest between North and South as an international, rather than a domestic matter. It appeared that the proclamation had been issued hastily, in disregard of the statement made to Dallas only a few days before. The Lincoln administration interpreted the step as proof of a desire to have the status of the Confederacy settled before Adams appeared.

The North generally resented this action, and regarded it as a gratuitous announcement of hostility. Feeling ran high, and all the traditional bitterness against England was revived in full force. Historians, however, have been inclined to look upon the issue of the proclamation at that time as peculiarly fortunate, because it forestalled further action for a considerable period. Had the British government waited a few months, until after the battle of Bull Run, it probably would have gone further, and recognized the independence of the South. Adams felt that the general atmosphere of the British government was one of distinct hostility toward the North, and in May, 1861, he wrote that his mission might be terminated at any

moment. Although England preserved neutrality, Earl Russell had favored joining with France in a formal offer of mediation, with the understanding that if the United States refused, she would have to count on English hostility. Palmerston, however, insisted upon neutrality for the time being.

THE TRENT AFFAIR

That was the situation when the "Trent affair" threatened to bring on war between England and the federal government. The Confederacy had decided to send commissioners to England and France respectively, to urge recognition and aid. James M. Mason and John Slidell were the men selected. Running the blockade, they took passage from Havana on a British mail-steamer the *Trent*. On November 8, the day after she left Havana, she was overhauled by a vessel of the American navy, the *San Jacinto*, Captain Wilkes commanding. The *San Jacinto* fired two shots to bring the *Trent* to a stop. Then a force of sailors and marines boarded her, and took by force Mason, Slidell, and their secretaries, in spite of the protests of the British officers. Wilkes took his prisoners to Fort Warren, in Boston harbor.

On November 16, the news of the capture reached New York, and it seemed that the whole country went wild with enthusiasm. Not only had two prominent Confederates been captured, who might be used as hostages, following the example already set by the Confederacy, but Great Britain had been publicly snubbed. Wilkes was welcomed with a series of receptions, dinners, and votes of thanks, some of which were adopted by the federal House of Representatives.

The news was received in England on November 27. A Cabinet meeting discussed the issue at once, and the conclusion was reached that the seizure was in violation of international law, and that reparation must be made. Earl Russell drew up a dispatch to Lord Lyons, the British minister in Washington, which in its original tone would probably have provoked war. Fortunately the message was softened at the suggestion of Queen Victoria. In its denatured form it demanded the liberation of Mason and Slidell, and "a suitable apology for the aggression." The government of the United States was to have seven days in which to make a reply. If none came, or if an unsatisfactory one were given, then Lyons was to leave at once for

London. The Admiralty prepared for war, eight thousand troops were sent to Canada, and the government prohibited the export of arms and ammunition.

Seward wrote to Adams that Wilkes had acted without orders, and on December 19, Adams imparted this news to Russell. Lincoln's Cabinet had a long discussion of the matter, with Sumner, chairman of the Senate committee on Foreign Relations, present. He reported letters from John Bright and others, showing how anxious the more sensible Englishmen were for a peaceful settlement. The Cabinet finally decided to release the men, and to disavow Wilkes's act. American opinion in general supported the administration. Wilkes had done practically what British commanders had done during the period before the War of 1812, and the United States had always condemned such proceedings. The British demand for the surrender of Mason and Slidell therefore was justified by and consistent with the American interpretation of international law. Under these circumstances, the question was easily settled. Wilkes might have taken the *Trent* before an admiralty court, but he had no right to stop the vessel and take off certain passengers, no matter who they were.

CONFEDERATE COMMERCE RAIDERS

As the war progressed other causes of friction arose between the two countries, in which the United States was not the aggressor. Unable to provide themselves with commerce raiders, the Confederates turned to British shipbuilding firms, usually in Liverpool. Vessels were constructed in British yards, equipped in or from British ports, and started on their career of destruction from neutral harbors. Adams kept the British officials fully informed of these matters, and had they been really eager to avoid giving offense they would have prevented the ships from leaving port. In March, 1862, the *Florida* was allowed to leave Liverpool, where she had been built for the Confederate service. After she got away, the British Justice Cockburn said that she should have been detained. The evidence in the case made it clear that the British authorities were not using due diligence in fulfilling their duties as a neutral.

The more famous case was that of the *Alabama*, which like the *Florida*, was constructed in Liverpool for the Confederacy. It was common knowledge that the vessel would be fitted out and equipped from a British base, and Adams laid evidence to prove it before the

British foreign office. He demanded that the boat be seized before she left port. Probably the government would have acted in time in this matter, had there not arisen an unfortunate tangle in the law offices of the crown. On July 26, Adams's evidence had been turned over to Sir John Harding, the senior legal adviser. He had just become ill with some serious mental disorder, and the papers lay in his desk. His wife kept his condition secret for a few days, hoping for his recovery. On July 28, the other officials took charge of his papers, and on that very evening they gave orders to have the vessel detained. That same evening she slipped out of port, and when the orders arrived, she was safely out at sea. She received her armament and supplies from British vessels, and promptly began to destroy Union merchant shipping. After the war was over, the British government paid heavily for her depredations.

In the summer of 1863 it seemed for a time as though an even more serious situation might arise. Adams learned that the Laird firm at Liverpool was building some iron-clad rams for the Confederacy. As usual, he submitted his evidence, and asked that they be detained. On September 1, Earl Russell, who had been none too well disposed toward the Union, announced that he could find no proof that the boats were being built for the Confederacy. With the *Florida* and *Alabama* cases still fresh in his mind, Adams replied so forcefully that the noble earl was finally prevailed upon to see a perfectly obvious fact. Warning Russell against letting any more vessels for the Confederate navy escape from English ports, Adams concluded: "It would be superfluous in me to point out to your lordship that this is war." But this time the vessels were seized before they could get away.

The decision of the foreign office to keep the rams in port marked the end of the British violations of international law in that particular field. By the summer of 1863 there was visible a marked change in British opinion. Hitherto sympathy with the South had been strong, and its strength was based in part upon the early manifestations of Confederate power. The Davis government seemed to be on the way toward victory, and its course attracted admiration and support. But after Gettysburg and Vicksburg the ultimate supremacy of the Union became certain. From that time on to the end of the war, British opinion was decisively with the North. As Owen Wister ironically puts it: "The *London Times* and the *Saturday Review* had lately been

quoting the Bible as sanction for slavery; for England dearly loves the Bible; but now many voices in London became sure that slavery was wicked; for England dearly loves success." Henceforth foreign problems were no longer really critical.

Throughout the war there were always difficulties connected with the management of the blockade. From the beginning there was constant temptation to run the blockade. In the Confederacy there was a steady, and increasingly insistent demand for manufactured goods, and the successful blockade runner was sure of a good profit. Moreover, with cotton at forty-two cents a pound, outside the Confederacy, even the small cargoes which a blockade runner could carry promised handsome returns. Vessels engaged in those ventures were specially built for speed and "low visibility." In spite of the steadily increasing efficiency of the federal navy, the practice continued almost until the end of the war. But after 1863, successful voyages were comparatively few.

It was common for traders engaged in supplying the Confederacy to carry clearance papers for Nassau in the Bahamas, or for Matamoras in Mexico. They might put into those ports, or they might not. In any case the Confederacy was their ultimate, and real, destination. In order to stop the practice, vessels of the Union navy began to seize boats bound for these neutral ports, provided there was reason to believe that their clearance papers did not tell the whole truth, and that their cargoes were obviously going to some Southern port. To justify the seizure of neutral vessels, plying ostensibly between two neutral ports, the United States Supreme Court evolved the doctrine of continuous voyage. That is, in deciding whether a cargo ought to be condemned or not, the determining factor was the ultimate destination, rather than the place named in the ship's papers. A large consignment of arms, cleared for Nassau, was obviously destined for the Confederacy, because Nassau was entirely at peace. Among the cases that reached the Supreme Court, the *Dolphin* and *Bermuda* furnished important precedents, because the Court sanctioned the seizure of both vessel and cargo. In the case of the *Springbok* the cargo was condemned, while the vessel was freed, because there was no evidence of fraudulent action on the part of the owners.

These various difficulties with England were only a part of the burden which Seward as Secretary of State had to carry during the

war. While the hands of the United States were tied, Napoleon III of France, possessed of all the conceit and ambition of his illustrious uncle, but noticeably wanting in his ability, began to experiment with his colonial scheme in Mexico. The story of his unfortunate puppet Maximilian is an interesting episode in the career of the tinseled, theatrical adventurer of the Revolution of 1848.

MEXICO

The strong preference which Mexico had for revolution as a substitute for orderly elections has been mentioned before, in connection with Texas. After 1836, her habits in this respect became worse instead of better; down to that time she had averaged fewer than one revolution a year. By 1857, her average was nearly one a year; at least she had had thirty-six different governments in as many years, and nearly all of them had been preceded by revolution. In 1857, after the final disappearance of Santa Anna, the Mexicans adopted a new constitution, and a president was elected with almost no opposition. He was duly inaugurated on December 1, for a term of four years. Inside of a month, he had been driven from the country.

According to the constitutional provision covering presidential vacancies the next in line for the doubtful honor was one Benito Juarez, but comparatively few beside the aspirant himself were ready to recognize him. For two years Mexico was plunged into hopeless confusion. Outrages against American citizens and personal insults to Forsyth, the American minister, forced the United States to sever diplomatic relations. But from 1859 to 1867 the United States recognized the Juarez government, as the only one which by any stretch of the imagination could claim to represent the Mexican people.

In December, 1860, Juarez captured Mexico City, and then he began a series of attacks upon the so-called clerical party. Aside from his domestic difficulties, which would have utterly discouraged any but one born to chronic disorder, Juarez was troubled with foreign problems. His predecessors, an impecunious lot, had borrowed money from any bankers courageous or foolish enough to lend to them. Their understanding of public finance was that whatever they got they spent to keep themselves in power, and passed on the obligations to their successors. After the volume of this indebtedness had piled

up to a point where the prospect of payment looked dubious, these foreign bankers appealed to their governments for help.

By 1861 Great Britain, Spain, and France were all insisting upon a settlement of various claims which they had against Mexico. England and Spain were concerned about the non-payment of principal or interest to some of their respective bankers, while the governments were insisting upon satisfaction for property destroyed and lives lost. The French grievances were far less substantial. One claim was based upon a fifteen million dollar bond issue, through a Swiss banking firm. For bonds to that amount the thrifty Swiss house had turned over to one of the ephemeral Mexican governments the sum of seven hundred fifty thousand dollars. Then the bonds were turned over to some French bankers, and the French government insisted upon the payment of the whole fifteen million dollars. In addition, claims to the extent of twelve million more were trumped up, on account of alleged injuries to French subjects.

Juarez of course was in no position to meet these claims; in fact he was inclined to question the binding force of any of the financial engagements made by his predecessors. Of course in making the loans the bankers knew that they were indulging in the wildest gambling; Mexico had never betrayed any signs of stability promising enough to justify any expectations of payment. And yet these Europeans gravely declared that Mexico must play the game according to the rules accepted among real governments. Under them the Mexican Republic, not merely a handful of revolutionary adventurers, was responsible, and whichever adventurer happened to be in office when they arose in their dignity and submitted their demands had to take the consequences.

EUROPEAN INTERVENTION IN MEXICO

In July 1861 Juarez decreed that all payments to all foreign bankers would be suspended for two years. Thereupon the British and French ministers demanded an immediate repeal, and when this was denied them, they promptly broke off diplomatic relations. The Spanish government had taken the same step previously. This threat of a European triple alliance against Mexico boded ill for the Monroe Doctrine, and Seward tried to ward off actual intervention. To that end he suggested to Juarez that the United States would assume responsibility for paying the interest on the whole funded

debt of Mexico for five years, provided certain securities were given. These, Seward said, should be a mortgage on the public lands and mineral rights in Lower California, Chihuahua, Sonora, and Sinaloa. If Mexico should not reimburse the United States within six years, the American title to these properties would become absolute.

The validity of this arrangement was made conditional upon a British and French agreement not to enforce payment, provided the Senate would ratify Seward's proposed schemes. But the European governments looked upon the proposal as a thinly veiled arrangement for the seizure of Mexican territory by the United States, and they were determined to have a hand in any such profitable game as that. Furthermore the United States Senate looked coldly upon Seward's plan for mortgaging Mexico into good financial behavior, so the proposal failed to work.

The rejection of Seward's plan left the parties where they were in the beginning. Thereupon, in October, 1861, Great Britain, Spain, and France signed an agreement, in which they declared that the conduct of Mexico had compelled them to act, for the protection of the property and the persons of their subjects. The three powers announced that they were seeking no acquisition of territory, and no special advantages. They also said that they had no intention of impairing the right of the Mexican nation to choose its own government. Finally they asked the United States to acquiesce in their proposed measures, but at the same time they made it plain that their action would be in no way influenced by an unfavorable reply.

Seward said that his government could not become a party to the agreement, because it was contrary to her custom to enter alliances, and because she did not feel inclined to resort to force in Mexico at that time. He did not deny the right of the three powers to intervene, but he expressed satisfaction at the assurance that there was no intention of impairing the sovereignty of Mexico.

Early in 1862 a combined English, French, and Spanish force took possession of Vera Cruz. According to the original plan, only the coast cities were to be seized, but once French troops were in, Napoleon III proposed the capture of Mexico City, with the hint that the allies might reconstruct the government of Mexico to their own liking. After a month, the English and Spanish governments withdrew from the enterprise, thereby leaving the French a clear field. The reason

for this break was the alleged violation of the original agreement by the agents of Napoleon III.

MAXIMILIAN

By the summer of 1863 French troops, heavily reinforced, occupied Mexico City. Then the French summoned a carefully picked convention of prominent clericals, which announced that Mexico desired a monarchy, with a Catholic emperor for a sovereign. An aspirant for the post was found in Maximilian of Austria, the brother of Francis Joseph. The Mexican people were not consulted as to their preferences in the matter, but they rarely had been in previous overturns. Hitherto one Mexican faction after another had fought its way into possession of the government, regardless of the popular will. These transitory governments had been interested primarily in getting hold of the public treasury, with the hope of borrowing on Mexican credit. Maximilian was installed by a faction, as his predecessors had been, but in this particular case the faction derived its sole strength from Napoleon III.

The scheming adventurer based all his hopes for the success of his Hapsburg puppet on the ultimate victory of the Confederates in the American war. Napoleon knew that the United States could risk no opposition at the time, and if the war came out as he hoped, his experiment might be profitable. Seward refused to recognize the new "empire," and warned Napoleon that he might be storing up trouble for himself.

Maximilian first appeared on the Mexican stage in the rôle of play-emperor in 1864, and the presence of 35,000 French troops inspired fear, if not respect. Juarez in the meantime kept up a constant guerilla fighting, although he was unable to cause any serious disturbance.

At the close of the American war Seward prepared to force Napoleon and his tool out of Mexico, and no diplomat ever held more strategic positions from which to maneuver. There was the federal army of a million veterans, amply able to annihilate any force that Napoleon could possibly send across the Atlantic. Furthermore, Seward knew that Napoleon had bungled his European policy in the most ridiculous fashion. The French had been watching Prussia with ill-concealed alarm, and when Bismarck prepared to move against Austria in 1866, Napoleon needed to be on his guard; it might

be his turn next. Seward informed Napoleon that the French troops could no longer be tolerated in Mexico. The Emperor agreed to take them out, if the United States would recognize Maximilian. Seward refused. Napoleon then, in 1866, agreed to withdraw them all by the following year, and he did so. When Francis Joseph hinted at Austrian support for his brother, Seward silenced him by a plain threat of war.

When the French troops left, Maximilian might have saved his life by going with them, but he felt that he owed something to his associates and supporters. His decision to remain put him at the mercy of Juarez, and on June 19, 1867, he was shot.

This attempt to establish a French protectorate over Mexico was the first definite challenge to the Monroe Doctrine which the United States had been called upon to face. The episode attracted widespread attention, and protests against the project were registered in newspapers, party platforms, and in congressional resolutions. Fortunately the test happened to come at a time when the United States was able, if necessary, to resort to vigorous action, and when European complications compelled Napoleon III to display more common sense than usual in his foreign policy. Because of the seriousness of the principle at stake, the country was justified in its feeling of elation at Seward's victory, even though Napoleon III as an antagonist was too contemptible for consideration. For once at least the prospect of a renewal of European control over Latin America had been decisively ruined.

CHAPTER XLVII

RECONSTRUCTION

If the defeat of the Confederate armies had been the only task which the attempt at secession had brought upon the Union, the country might well have considered its troubles on that score at an end in 1865. But the war created more problems than it settled. At first the North had looked upon it as necessary in order to preserve the Union; slavery was to be left untouched, at least in the states. But with the adoption of the policy of freeing the slaves, not only the whole purpose of the war, but the whole problem of reconstruction afterward, was profoundly altered. The war had prevented the establishment of the Confederacy as a going concern; whether it saved the Union or not is an open question. Because of the tremendous increase in federal power, at the expense of the states, it appeared to many that a new union had been created, based upon a very different principle.

The slaves were free; and their freedom thrust upon the country the almost unsolvable problem of the negro. The government after the war had to deal, not only with the relatively simple task of restoring the connection between the Southern states and the central government, but with the infinitely harder one of working out a satisfactory arrangement under which whites and blacks could live side by side with a reasonable degree of satisfaction. At the present time that ideal is as far from realization as it was in 1865.

RECONSTRUCTION IN THE NORTH

For the Northern states reconstruction was a simple matter. The state governments had been only slightly affected by the great struggle so it was easy for them to resume their normal course. Their economic life had been changed for the better, if the widespread prosperity may be taken as a criterion, so it was easy for business to go on as usual when the contest came to an end. Even the task of demobilizing the great army of a million men was carried through easily and comfortably, by December 1865, with no apparent dis-

location of industry. In sections where a military régime had temporarily superseded civil authority, it was not hard to reëstablish the ordinary machinery of peace. As for the financial problem, that involved a drastic decrease both in taxation and in expenditure, a process which the ordinary tax-payer would find distinctly pleasing. All this was relatively simple, calling for the exercise of no extraordinary powers of statesmanship.

In the border states, where the war had divided families, and where the federal government had stepped in with drastic regulations, the task was more difficult. There was more to be done in restoring civil authority, and in removing military rule. And the border states, like the South, had the serious problem of the freedmen.

CONDITIONS IN THE SOUTH

The situation in the South might well have seemed hopeless, both to the people in the defeated section, and to the federal government. When the war came to an end the former Confederacy was in chaos. Everywhere demoralization, confusion, and destruction seemed to abound. The war had lasted four years, with the greater part of the fighting in the South, bringing terrific waste and loss. The whole political, social, and economic system had collapsed; the very fabric of Southern civilization seemed to be torn into shreds. There was no organized government, because when the Confederacy went to pieces, the states fell at the same time. The only functions of government and administration that were carried on at all were those in charge of federal troops. Property had been destroyed on every hand: farm buildings, shops, railroads—both track and rolling stock. The labor system to which the South was accustomed had disappeared. Most of the comparatively meager supply of accumulated capital in the South had been sunk in worthless paper currency and equally valueless bonds. The two or three billion dollars invested in slaves of course was charged off with the advent of emancipation.

For a number of reasons the South found it practically impossible to begin farming immediately after the close of the war. Even where the freedmen remained on the plantations, there was a general deficiency of farm tools, which had worn out during the war, a shortage of stock, even an inadequate supply of seeds for planting. Moreover the war ended just after the season for ploughing had passed for a large part of the South.

It was equally difficult to renew commercial activities. The continuance of various war-time regulations and restrictions would have hampered distribution even though transportation could have been secured. The federal government imposed a revenue tax of two-thirds of a cent a pound on cotton, and that served to hamper sales.

Even ordinary housekeeping had been rendered difficult by the gradual disappearance of countless little necessities, which could not be replaced as long as the war lasted. Whitelaw Reid, the New York journalist, visited sections of the South just after the close of the war, and some of his accounts reveal the difficulties under which nearly everyone labored.

"Everything has been mended, and generally in the rudest style. Window-glass has given way to thin boards, and these are in use in railway coaches and in the cities. Furniture is marred and broken, and none has been replaced for four years. Dishes are cemented in various styles, and half the pitchers have tin handles. A complete set of crockery is never seen, and in very few families is there enough to set a table . . . a set of forks with whole tines is a curiosity. Clocks and watches have nearly all stopped. . . . Hair brushes and tooth brushes have all worn out; combs are broken and not yet replaced; pins, needles, and thread, and a thousand such articles, which seem indispensable to housekeeping, are very scarce. Even in weaving on the looms, corn-cobs have been substituted for spindles. Few have pocket knives. In fact, everything that has heretofore been an article of sale at the South is wanting now. At the tables of those who were once esteemed luxurious providers, you will find neither tea, coffee, sugar, nor spices of any kind. Even candles, in some cases, have been replaced by a cup of grease, in which a piece of cloth has been plunged for a wick. The problem which, the South had to solve has been, not how to be comfortable during the War, but how to live at all."

This widespread confusion brought forth the main outlines of the problem of reconstruction. From the Southern point of view, the primary considerations were social and economic. Let the negroes be put to work, and the farms brought under cultivation; other matters could wait. To the North, less familiar with the completeness of the Southern collapse, the greatest issue seemed to be constitutional and political. What was the status of the eleven states which comprised the Confederacy? If they were out of the Union, they needed to be brought back; if they were still in, their rank and

the rights and position of their people, needed to be defined. Above all, the North saw a pressing demand for the settlement of the puzzling problem of the freedmen, some four million in number.

This Northern point of view was important, because the North was the victor. Naturally any plan of reconstruction would conform to its ideas of what was fitting, and what should come first. Both sides agreed that something should be done for the negro, but at that point their agreement stopped. Any one could see that action was necessary. While some of the colored population stayed at home, they were in a precarious situation at best. They owned no property; their houses, and even the clothing they wore, were, or had been, the property of their former masters. They were not only entirely outside the legal system, but outside the economic system, as well.

Many of the blacks left the plantations. Freedom to them meant a release from familiar scenes as well as from familiar duties. In order to make the gulf between past and present as wide as possible, some changed their names, some deserted their families, some speedily acquired new wives. Some did all three. Others became ill-tempered and obstreperous, determined to show their superior attainments and worth by the badness of their manners. Because freedom had come to them from the federal government, they expected more, especially land. Countless freed slaves confidently waited for the day when the beneficent authorities at Washington would present every head of a negro family with "forty acres and a mule."

THE LINCOLN PLAN

The first steps toward reconstruction had been taken by President Lincoln. His views on the subject were sane and moderate, much more so than was common among Congressmen at the time. Lincoln had the rare power of being able to separate the elements of a problem from his own emotional reactions, and of viewing it objectively and rationally. He knew that the two sections must live together, and as he analyzed the situation, the main objective must be the restoration of harmony and good feeling. To be sure, orderly government had to be set up, but that work was to be the means to achieve his main purpose. Above everything else he desired to drop the idea of further punishment for the South. Being a reasonable man, he could see that the imposition of heavy penalties would not only retard the work of restoration, but would create a lasting bitterness. By a

policy of conciliation and decency he hoped to win the loyalty and respect of the former Confederates.

With this end in mind he planned to base the restored governments upon the electorate of 1860, or upon that part which was willing to coöperate with him. According to his view there was still in every Southern state a feeling of loyalty to the Union, and he hoped to use this in getting his restored governments under way. His ideas on the subject were first presented in concrete form in a proclamation of December 8, 1863, announcing that full pardon, together with complete restoration of all property, would be granted to Confederates who would take a certain prescribed oath. They must agree to uphold the Constitution, and to comply with all executive proclamations, as well as all acts of Congress, concerning slavery. During the war certain classes were refused the privilege of taking the oath. All civil and diplomatic officials of the Confederate government, all Confederate military and naval officers above a certain rank, and all who had left positions in the federal army or navy, in the federal courts, or the federal Congress, to aid the Confederacy, were thus debarred. If there were enough other persons to equal ten per cent of the voting population of 1860, they might organize a government, and the President agreed to recognize it. By 1864, Tennessee, Louisiana, and Arkansas had organized on this basis. Lincoln made it plain that as soon as conditions permitted, the restrictions imposed in the proclamation would be removed.

This "Ten Per Cent Plan" did not provide for negro suffrage. Lincoln himself had grave doubts as to the wisdom of conferring full rights of citizenship upon the freed slaves, at least at the first, and he preferred to leave that troublesome question for later settlement.

With the ending of the war in April 1865, Lincoln planned to extend this arrangement over the whole South, and to have governments set up at once. More than that, he determined to hasten the process so that by the time Congress met again, the southern governments would be in full working order.

"I think it providential," Lincoln told his Cabinet at its last meeting before he was murdered, "that this great rebellion is crushed just as Congress has adjourned and there are none of the disturbing elements of that body to hinder and embarrass us. If we are wise and discreet we shall reanimate the States and get their governments in successful operation, with order prevailing and the Union re-established before Congress comes together in Decem-

ber. . . . I hope there will be no persecution, no bloody work after the War is over. No one need expect me to take any part in hanging or killing these men, even the worst of them."

Lincoln had reference here to the determination of Congress to take the management of reconstruction out of his hands. In 1864 the radical Republicans had put into their platform a plank calling for Congressional control of reconstruction, and Congress had passed the Wade-Davis bill, with the same end in view. This measure provided that before reconstruction could begin in any state a majority of the voters there must be ready to take the oath of allegiance. Then for readmission into the Union the states must abolish slavery, repudiate their Confederate debt, and exclude the leading Confederates from citizenship. Lincoln refused to allow the measure to become law, thereby bringing upon himself severe criticism from Congressional quarters. Hence his desire to confront Congress with an accomplished fact when it should meet in December.

ANDREW JOHNSON

The assassination of Lincoln ended every prospect of conciliatory and satisfactory reconstruction. His successor in the presidential office was Andrew Johnson of Tennessee, a "War Democrat." Johnson came of poor-white parentage in North Carolina, although most of his life was spent in Tennessee. A tailor by trade, he had grown up in ignorance. He did not even learn to read until after he was married. He seemed to have a remarkable aptitude for politics, and after holding various offices he became one of the senators from Tennessee. He was a Unionist, and refused to follow his state into the Confederacy. In April 1862, after the Federal forces had secured a foothold in Tennessee, Lincoln made him war governor of the state. Then in 1864 the managers of the Republican party gave him the vice-presidential nomination, not because they considered him of presidential size, but because they wished to present a ticket which some Democrats could accept.

Like Lincoln, Johnson was a self-made man; but lacking Lincoln's native ability, Johnson did a far less satisfactory piece of work than did his great predecessor. Johnson had some of Lincoln's qualities; he was persistent, honest, and perfectly sincere. But he had no tact, and he was absolutely devoid of humor. He was stubborn to the point of pigheadedness, narrow-minded, and extremely dogmatic.

Instead of making friends, he repelled them. As described by Woodrow Wilson, "He could not be right without so exasperating his opponents by his manner of being right as to put himself practically in the wrong." Like so many others of his time, he had an unfortunate weakness for liquor, without the acquired capacity to carry it which marked some of the great Americans of the mid-nineteenth century.

With Congress determined to direct the course of reconstruction, a president of Johnson's temperament was bound to suffer defeat. Lincoln might have come out a victor in a contest with the legislature on that issue. He was a wise and canny politician, thoroughly familiar with the whole procedure of the professional manipulators, and not unwilling to play the game under their rules when they forced him to it. Lincoln might have forced his policy upon Congress. Johnson was beaten from the day he took the oath of office.

JOHNSON'S POLICY

He began where Lincoln had left off. On May 29, 1865, he issued a new proclamation, substantially like Lincoln's. It did, however, deny the privileges to all wealthy Confederates. In providing for the reëstablishment of the political system in the South, Johnson followed Lincoln in disregarding the radical demands for negro suffrage.

By October, 1865, all the states but Texas had reorganized under the Lincoln-Johnson plan, and the work in that state was completed by the following spring. The constitutional conventions which met annulled their ordinances of secession, abolished slavery, and repudiated their debts contracted on account of the Confederacy. During the fall of 1865 legislatures were elected, and when they met they ratified the Thirteenth Amendment. By the summer of 1866 Johnson proclaimed the complete restoration of peace, order, tranquillity, and civil authority throughout the United States.

Had it not been for Congress, the presidential proclamation might have meant what he intended it to mean. But that body, controlled by the radical Republicans, was determined to have a hand in the work, even if in doing so they had to overturn everything which the two presidents had accomplished. On December 1, 1865, the Republican caucus assembled, and decided not to recognize the new governments in the South. At the same time they prepared to have Congress appoint a joint committee on reconstruction, to take charge of

their program. When Congress convened a few days later, the Clerk of the House refused to read the names of the newly elected representatives from the southern states. By refusing to seat them Congress could block the executive plans for completing reconstruction and so wreck the whole Lincoln-Johnson policy.

The southern states had complied with the executive requirements in good faith, and when Congress suddenly interrupted proceedings they felt that they had been unfairly treated. However, in spite of the widespread uncertainty as to what Congress would do next, the southern governments continued their work. Courts of justice were reëstablished, patrols were organized (the awesome "paterollers" of Uncle Remus) and the legislatures passed various laws to cover economic and labor problems. But the governments and the officials composing them worked under difficulties, because no one could tell how soon they might be overthrown.

RADICAL REPUBLICANS

In Congress the radicals were under the leadership of Charles Sumner and his colleague Henry Wilson in the Senate, and of Thaddeus Stevens of Pennsylvania in the House. Before the war Sumner had been one of the most outspoken opponents of slavery in Congress, and his enthusiasm for his cause had led him to make the remarks which had brought upon him the retribution of Preston Brooks. He had never been any too well disposed toward the South, and after his return to the Senate in 1859 his opposition to that section was if anything more pronounced than before. When the war was over he was loud in his expression of sympathy for the unfortunate freedmen. Sumner was perfectly honest and sincere, but more conceited, and more dogmatic, if that were possible, than Johnson himself. Except to his friends his obtrusive self-righteousness was somewhat galling. He was a genuine doctrinaire, one "who lived in the empyrean, and descended thence upon his colleagues with dogmas which he discovered" in that exalted region. But he was an able man, skillful in debate, untiring in application to his work, and adept at the art of parliamentary management.

Sumner's doctrine was his "state suicide" theory. In attempting to secede, the southern states had ceased to exist as political units. Congress therefore had full control over them, and it fell to Congress to lay down the conditions under which they might be restored to

their former position. Furthermore he believed in drastic punishment for the Confederates, not in the form of fines or imprisonment, but by subjecting them to the rule of the freedmen. An important feature of his policy was the granting of full civil and political rights to the blacks.

Thaddeus Stevens held a place in the House corresponding to Sumner's in the Senate. He was the recognized leader of the radicals in the lower chamber, and no one could deny his ability. Narrow-minded and bigoted in temperament, he hated the South with the hatred born of intolerance and ignorance. Likewise he came to hate Johnson in much the same way, when he found that the President was determined to follow a course different from the one he would prescribe. Like many of his associates, he was a self-made man, a fact which gave one of his opponents much comfort, "because it relieved the Creator of a tremendous responsibility." He looked upon the South as a conquered province, and like Sumner he called for drastic punishment for the whole section. "I have never desired bloody punishments to any great extent," he said, "but there are punishments quite as appalling, and longer remembered, than death. They are more advisable, because they reach a greater number." He urged the confiscation of "rebel" estates, and the elevation of the blacks to positions of power.

It is easy to understand the point of view of Sumner and Stevens. The North could not forgive the South for trying to break up the Union, and for presenting the dilemma of letting the Union go or fighting to save it. Families which had suffered losses on account of the war were not unwilling to see the South punished. Members of Congress had been brought into close touch with the war, without getting into the army, so while their emotions had been deeply stirred, they had not been able to work off their energy in any normal way. In the various projects for punishing the South they found relief for their pent-up feelings. Sumner and Stevens, crying for revenge, represented the average state of mind. Lincoln, praying for restored harmony and friendliness, seemed far removed from the world. The apostles of vindictiveness had their way, with all the evil results which Lincoln had foreseen. Congressional Reconstruction is one chapter in American history which does not inspire pride.

The reasons and motives which induced the radicals to upset the work of Lincoln and Johnson varied widely with individual Con-

gressmen. Fundamentally perhaps there was a determination on the part of Congress to restore its lost prestige. During the war Lincoln had assumed and exercised powers which could not be justified under the Constitution, and which encroached heavily upon the prerogatives of the legislature. Although the members tolerated the usurpation during the war, they were determined to regain their lost ground at the earliest possible moment. To do this they needed a compelling issue, one which they could carry to the voters, with a burning appeal for support. The issue that presented itself was reconstruction, and they prepared to use it. By forcing the abandonment of the executive plan, and by imposing one of their own, they could at least assert their power.

There was, too, a feeling that the Ten Per Cent Plan was undemocratic in principle. The critics who believed this argued that if proper basis for a government could not be found among the whites, the blacks must be called in to help. Some self-appointed guardians of negro welfare insisted that the social and economic problems of the freedmen could not be solved unless the negro had the vote, to protect himself against exploitation. According to their theories, the normal relation between the two races was one of intense hostility, a perpetual contest, in which hitherto the whites had been victorious because they had more rights. By putting the two races on the same level, they felt that they were giving the blacks an equal chance. And of course those who would punish the South planned to use negro suffrage as their means.

There was also a purely partisan consideration involved, which may have equaled in importance all the other reasons put together. Before the war Southern representation in Congress had been based upon the total white population, plus three-fifths of the colored. When the Thirteenth Amendment abolished slavery, it rendered obsolete that three-fifths provision, so that for the future, the whole black population would be counted. For a decade or more before 1860 the Southern leaders had virtually directed the course of the federal government. Under the circumstances therefore the Republicans faced the prospect, not only of an increase in the size of the Southern delegations, but an increase in influence commensurate with their numbers. Moreover the South would very likely be solidly Democratic. The old Whig Party was entirely obliterated, and the Republican Party was not in good standing among Southern whites.

As a new party the Republicans were none too secure, and they determined to guard against this impending Democratic avalanche by delaying reconstruction until they should have time to establish Republican organizations in all the southern states. This work would have to be done among the negroes, to be sure, but that mattered little. Anything was justifiable which would beat the Democrats.

For one reason or another therefore a number of Republicans had reached the point of demanding negro suffrage, and it was destined to become the central feature of the Congressional plan of reconstruction. The determination to insist upon the vote for the freedmen was strengthened by the adoption in many southern states of sets of laws dealing with the negroes, laws popularly known as the "black codes." New legislation on the subject was necessary, because abolition had made useless practically all the old laws on the subject. In fitting the negro into his new place in the southern social economy the whites were guided by their understanding of what the negro had been in the past, their fears of what he might be in the future, and their resolution to retain their own hold on public affairs in their states. It was hardly to be expected that they would look at the problem from the angle of theoretical social reform; they had to live with the freedmen. Hence their codes were based upon a frank recognition of negro inferiority. The laws in question gave the negroes certain legal rights, and denied them certain privileges. Separation of the races was insisted upon in schools, public conveyances, and hotels.

But the parts of the codes which attracted most attention were those covering the subject of labor. Negroes who refused to work at the current rate of wages were declared to be vagrants, and subjected to heavy fines. Then too heavy fines were imposed for committing a number of offences common among the blacks, such as petty thievery. Failure to pay the fines in either case put the negro in the service of the state, and the authorities could hire out his services to those needing labor. In several states negroes were required to carry written labor contracts, which they had to show on demand. Failure to show one made the offender a vagrant.

To the South these laws seemed necessary, in order to keep the colored people from becoming public charges. To the North they seemed like very poorly disguised attempts to reduce the negro to

slavery, under another name. In the hands of clever politicians these black codes were made to appear as evidence of persistent villainy on the part of the South, so much so that the advocates of negro suffrage found the codes of tremendous help in winning support.

CONGRESSIONAL RECONSTRUCTION

By the summer of 1866 the radicals in Congress became influential enough to embarrass the President, and by the end of the year they were in a position to have their own way. This rise to power had been a comparatively slow process, starting back in 1864. Reference has been made to the failure of their Wade-Davis bill, and to their appointment of the joint committee on reconstruction. At the first opportunity they struck their initial blow at the executive policy by refusing to seat southern Congressmen. This was followed, in February, 1866, by the adoption of a formal resolution, excluding both Representatives and Senators from the South until Congress had voted to readmit the states. At about the same time Congress passed a bill to extend the life of the Freedmen's Bureau. Johnson vetoed it, thereby making himself more unpopular.

By the spring of 1866 Congress was beginning to pass its measures over the President's head. In April the radicals put through the Civil Rights Bill, designed to make the Thirteenth Amendment effective. It made the freedmen citizens of the United States, with full civil privileges, and it prohibited the states from interfering with the rights of the freedmen. When Congress passed this over the President's veto, all executive influence over reconstruction came to an end.

To put the guarantee of negro rights beyond the reach of any succeeding Congress, the leaders embodied the provisions of the measure, along with certain other matters, in another amendment, the Fourteenth. This was duly adopted by Congress and sent to the states in June, 1866. It declared that the negroes were citizens of the United States, and of the states where they lived, and it forbade any state to pass any law "which shall abridge the privileges or immunities of citizens of the United States." Furthermore no state was to be allowed to "deprive any person of life, liberty, or property, without due process of law; nor deny any person within its jurisdiction the equal protection of the laws." Consciously or unconsciously in drafting this section, Congress put in a joker, which

enabled the courts to apply the Fourteenth Amendment to the protection of corporations as well as of negroes.

The Fourteenth Amendment did not specifically confer upon the freedmen the right to vote, but it penalized, or was designed to penalize, all states which denied them that right. This part stated that whenever suffrage rights were denied to any male citizens, twenty-one years of age and over, except in the case of duly convicted criminals, then the state's representation in Congress was to be reduced in proportion to the number excluded. Finally this Amendment disfranchised all Confederate leaders with the provision that the disabilities might be removed by a two thirds vote in each house of Congress, and required the repudiation of the Confederate debt.

In the summer of 1866 Congress received the report of the joint committee on reconstruction, and on the strength of that it was resolved that the Southerners had forfeited all their constitutional rights, that the existing state governments had no legal foundation, and that restoration could not be completed until Congress said the word. The passing of the Civil Rights bill, and the submission of the Fourteenth Amendment were the first constructive steps in Congressional reconstruction. These were followed by another Freedmen's Bureau Bill, which they succeeded in passing over the President's head.

This Bureau was a branch of the War Department, created during the war to supervise the relief work for the negroes, and to look after their interests generally. It assigned "abandoned" lands—land confiscated from Confederate soldiers—to the freedmen, distributed food and clothing, looked after arrangements regarding labor, and exercised certain judicial powers in cases involving the freedmen. The radicals wanted to keep the Bureau in existence because they thought it performed a valuable service in protecting the blacks from exploitation by their former masters. Besides, as canny politicians they saw in it a device for extending the Republican Party organization throughout the South. It had branches scattered through the former Confederacy, and in the right hands these might easily be made the nuclei of party machines. These various measures made it plain that Congress was planning to rebuild the Southern governments on the foundation of the black vote.

By the time these initial steps had been taken the campaign for the Congressional elections of 1866 was in full swing, with reconstruc-

tion as the main issue. The radical Republicans were aiming at a two thirds majority in the new Congress, to enable them to finish their program without the risk of any executive interruptions. In appealing for votes the leaders promised to undo all the work of Lincoln and Johnson in the South. Johnson of course appealed for support in defense of his program.

In the actual campaign the radicals used reports from the Freedmen's Bureau, the Black Codes, and rumors of restored slavery to stir up feeling against the South, and to win votes for their own program. To offset this frank appeal to the emotions of war-time, Johnson decided to go on the stump himself, and in his "swing around the circle" through the Middle West he was able to plead his cause before large audiences. Unfortunately for him, he appeared on one platform under the influence of liquor, and so alienated support which he might otherwise have received.

While he was converting voters to the radical program, incidents were taking place in the South which, cleverly used by the leaders, brought still more adherents into the radical camp. On July 30 there was a serious riot in New Orleans, in which about fifty people were killed, and three times as many wounded. This regrettable affair grew out of a contest between radicals and conservatives in Louisiana. The radicals were aiming to establish negro suffrage in the state, and to do this they planned to "reopen" the constitutional convention of 1864. The conservatives argued that that convention had adjourned *sine die*, and that it had long since passed completely out of existence. If changes were to be made in the Constitution, they insisted upon having a new convention to do the work. When the radical delegates assembled to "reopen" the sessions a fight started, in which the police force, the fire department, and the mob all joined.

Nothing except a general massacre of the blacks could have been turned to such good account by the radicals. Under their treatment the riot was made to appear as an attack by the unrepentant Confederates upon the negroes and their self-sacrificing white protectors. Voter after voter came to believe that once the strong hand of the federal government was removed, the southern whites would proceed to exterminate the freedmen.

The elections gave the radicals more than the two thirds which they needed, and that show of popular support strengthened their

hands in the remaining short session of the old Congress, the thirty-ninth. During the winter of 1867, under the tyrannical driving power of the vindictive Thaddeus Stevens, the House finally passed the measure which Stevens himself had drawn. After some delay and with a few changes the Senate fell into line. When their bill was finally vetoed by Johnson, on March 2, they passed it over his veto. This Reconstruction Act of March 2 declared illegal the state governments in the South set up under the Lincoln-Johnson plan, and abolished them. Then it provided for the reëstablishment of military rule throughout the South. As prerequisites for readmission to the Union, the South was required to ratify the Fourteenth Amendment, thereby disfranchising all its trained leaders, and also to embody in their own state constitutions guarantees of negro suffrage. This last measure was forced through by Charles Sumner.

On March 2, another law was passed calling the Fortieth Congress into session at noon on March 4, so that the work could go on without any interruption. On March 23, a supplementary act went through, providing that the generals in charge in the South were to register the voters in their respective districts, and supervise the election of delegates to state constitutional conventions. The constitutions drawn up were to be submitted to the voters for approval, and then to Congress. This measure disfranchised a larger proportion of Southern whites than the earlier bill.

It is doubtful if measures more pernicious than these Reconstruction Acts had ever passed Congress. It is easy now to see the criminal stupidity in giving the vote to the thousands of utterly ignorant, untrained, and unfit freedmen. Their ignorance and their incompetence were no faults of their own, but they were facts to be reckoned with in reorganizing southern society. Absolutely unversed in the ways of politics and totally lacking in any sense or appreciation of the meaning of government, they were bound to be mere tools of whatever leaders happened to get into power. It so happened that the men who did assume command were unscrupulous rascals who made the word "reconstruction" synonymous with thievery and plunder on a large scale. For the remarkable scenes that followed, Sumner and Stevens were primarily responsible, for without their driving-power, the Acts of March 1867 would never have gone through. Before the ratification of the Fourteenth Amendment, only six northern states allowed the negroes to vote and in 1865

Minnesota, Wisconsin, and Connecticut had definitely voted down proposals to grant suffrage rights to them.

THE IMPEACHMENT PROCEEDINGS

In addition to extending their control over the South, the radicals were equally determined to extend it over President Johnson. To that end, on the same fateful March 2, they passed the Tenure of Office Act, designed to take away from the President his power to remove officeholders. Johnson had been turning Republicans out, in order to build up a following of his own, and the Republican leaders saw the whole basis of their organization slipping away. Furthermore, on March 2, Congress passed a "rider" to the Army Appropriation bill virtually depriving Johnson of his powers as commander-in-chief of the army.

Johnson had become involved in a quarrel with Stanton, his Secretary of War, and in August, 1867, he asked him to resign. The Secretary refused in a letter bristling with sarcasm. Johnson then suspended Stanton, and appointed Grant to act as Secretary *ad interim*. This procedure failed to meet with the approval of the Senate, and after a long altercation, Johnson finally removed Stanton.

On February 24, 1868, the House of Representatives voted to impeach the President, on the strength of a long list of alleged misdemeanors, the chief of which was his violation of the Tenure of Office Act in removing Stanton. The trial began on March 30, and lasted until May 26. Some of the ablest lawyers in the country took part in the defense, while at least one of the most unscrupulous, Benjamin F. Butler, had charge of the prosecution. As the trial proceeded it became more and more evident that the real basis for the charges was political, and the case of the radicals became slighter and slighter. On the final vote, the Senate stood thirty-five for conviction, to nineteen against, just one short of the necessary two thirds. But some of those who voted to convict would have voted the other way had there been any danger of conviction. They were willing to let the vote against Johnson be heavy, as a sort of censure, but they could find no grounds on which they could justify a vote to remove him from office. The only attempt ever made to impeach a president of the United States failed. After that, for the remaining nine months of his official career, thanks to the appointment of new

Cabinet members, Johnson and Congress managed to get along with less friction.

RECONSTRUCTION IN THE SOUTH

While the President and Congress were engaged in their stubborn and ill-advised contest, the Congressional scheme of reconstruction was being applied in and to the South. The major-generals took charge in their respective districts, where they remained in control, in some cases for nearly four years. The first definite task which they undertook, the registration of voters, was carried on by agents named by the military commanders. During the evenings the same men worked at the task of bringing the colored registrants into the Republican Party, and in building up among them the necessary organization. So determined were they to break down the old leadership of the South, that, according to report, they went beyond the law, drastic as it was, in disfranchising the whites. When the registration was completed, five states showed the black voters in the majority: Alabama, Florida, Louisiana, Mississippi, and South Carolina.

When the delegates to the constitutional conventions were elected, it was clear that every convention had a radical majority, while South Carolina and Louisiana had negro majorities. In practically all the states the men chosen were discouragingly unfit; where they were honest they were ignorant; while of those who knew anything about the principles of government, far too many would have graced a penitentiary much better than a constitutional convention. Of the Alabama colored delegation, perhaps an extreme case, only two members could read and write.

In spite of the incompetence of some of the delegates, by 1868, constitutions were drafted and duly ratified in all but two states, and they completed their work in 1870. When the state executives and legislatures were elected under these new documents, the official personnel revealed the nature of the forces at work. In the seven states reconstructed and restored to the Union in 1868, ten of the fourteen senators were "carpet baggers," twenty of the thirty-five representatives, and four of the seven governors. Local offices showed a liberal sprinkling of blacks, and all the legislatures had black delegations. South Carolina had a negro majority of twenty-one. In Georgia there were only twenty-seven black members, and they

were promptly expelled. Just as promptly Congress turned the state back to military rule, and kept it there until 1870.

The property interests of many of the new legislators were not large. In South Carolina all the members together paid six hundred thirty-five dollars and twenty three cents in taxes, while in Alabama they paid less than a hundred dollars. The property owners and tax payers were generally disfranchised. Thus southern political life was turned upside down, with the penniless element in control, with full power to squander as much money as they pleased. Manifestly, Lincoln's desire for renewed cordiality had been long since forgotten.

In the Republican Party of the South under the new régime there were three distinct elements. The largest group were the blacks, who furnished the votes, held some of the minor offices, and helped squander some of the money. Knowing nothing of politics, they submitted to the leadership of men who did, and what they learned was a calamity for themselves and a scandal for the whole country. At the other end of the scale were the "carpet baggers," white adventurers from the North, some of whom were honest seekers of honest fortunes, while others had come down frankly to profit from the overturn in society and politics. With them were other whites, known variously as "scalawags" or "galvanized Yankees," Southerners who for one reason or another joined the Republican party.

The black voters had been organized in the "Union League," so called, a secret political party for the negroes. By 1868 it had branches all over the South, with district and state councils, all guided and to a certain extent managed by a national grand council, with headquarters in New York. The League had all the attributes of a secret society, with initiations, oaths, and a very impressive secret ritual. All the members were bound by oath to vote for candidates nominated by the League, and personal injury, or even death, was threatened to any so lacking in elementary decency as to vote the Democratic ticket. So strict was the discipline that members were not even allowed to attend political meetings unless they were properly indorsed by the League. By means of this secret party a few thousand "carpet baggers" and "scalawags" were able to manage over seven hundred thousand black voters. Of the southern whites practically all the men of ability and experience were disfranchised, while the blacks, a "terrible inert mass of domesticated barbarism," were called upon to vote.

Once the combination of negro, "carpet bagger" and "scalawag" settled down to work in the respective state governments, the country was furnished with examples of wholesale fraud and organized corruption on a grand scale. Maladministration of finance was perhaps the *motif* of the whole movement. Offices were multiplied, salaries were increased, numerous costly enterprises were undertaken, all of which worked together to increase expenses, and the profits to the "ring" in charge. By 1872, the indebtedness of the eleven states of the Confederacy had increased by the enormous sum of $131,717,777. In Arkansas, in the seven years of reconstruction the state debt rose from $3,500,000 to $15,700,000; in Georgia, from 1870 to 1872, it rose from $6,000,000 to $18,000,000 in Alabama from $7,000,000 to $33,000,000. In North Carolina, where the corrupt managers openly took ten per cent on all appropriations, the debt was increased by $27,000,000.

Corruption extended all the way along the official line. In Louisiana the governor, a "carpet bagger" from Illinois, had an annual salary of eight thousand dollars. During his first year he cleared over a hundred thousand dollars, and at the end of his four year term he was worth somewhere between half a million and a million dollars. His case was typical of the time. "Carpet baggers" and freed negroes plunged into the most shameless orgy of financial corruption that the country has ever seen, except for a few years under the Tweed régime in New York. Perhaps the most striking examples of governmental rottenness were to be found in South Carolina, though other states were practically as bad. In that state, which from 1790 to 1868 had spent about $609,000 on its printing, the bill, from 1868 to 1876 was $1,326,589. This was typical of the whole system of administration. During one session of the legislature the state spent $125,000 for a "refreshment room" next to the Senate Chamber.

Under the carpet bag and negro rule members of the legislature and state officials had all their supplies bought and paid for by the state. These ranged from the most expensive luxuries, champagne and French brandy, through groceries, provisions, furniture, furnishings, clothing, jewelry, to stock and supplies for their farms. Black legislators just out of slavery reveled in extravagance, at the expense of the disfranchised property owners of the state. Hundreds of receipted bills are still preserved in the state archives at Columbia,

showing in detail how the public funds were squandered. One, typical of scores, with a total of $287.63 had items as follows: towels, hair brushes, cologne, collars, suspenders, skirts—of course for the members of the legislature—gloves, blankets, and corsets. Another, covering a period of two weeks, with a total of $861.52, had as items: whiskey, champagne, cheese, cigars, ale, wine.

For a time there seemed to be no way of putting a stop to these outrages. Those whose money was being spent were not allowed any voice in the governments, while the federal government at Washington was bound to uphold the system which had been created through the efforts of Congress.

THE KU KLUX KLAN

The first effective opposition to this system which Congress had allowed to be established in the South was made by the Ku Klux Klan, and related organizations. Organized in 1866 first as a joke, at Pulaski, Tennessee, the society quickly spread over the whole South. Its membership was limited to southern whites; no Republican, no member of the G. A. R. or the Union League could gain admittance. Its purposes were to preserve order, to frighten the negroes into submission, and to enable the whites to regain control of public affairs.

The society was designed primarily to work upon the superstitions and fears of the blacks. To that end the officers were given names supposed to strike terror into the hearts of the simple-minded freedman, while the costume or disguise was even more awe-inspiring. Mounted on horseback, with both horse and rider draped in white, the Klansmen were objects of terror. Their methods were primarily intimidation; if that failed to produce results, violence came next. Klansmen were popularly supposed to drink water by bucketfuls, to be able to remove their heads or hands at will, and to float in mid air. Newspapers carried highly sensational stories of the miraculous powers of the Klansmen, to convince the blacks that all the rumors they heard were true.

Violence became more common as the Klan acquired confidence, and as it began to see results. There is no doubt that the organization quieted the negroes, that it made property safer, and that it compelled the rascally politicians to moderate their courses of corruption. By doing all these things it started the whites toward their goal of

restored supremacy. From the white point of view these results were undeniably good. But as time went on, the Klan became a cloak for lawlessness of various kinds, which could not be justified in any way. By the time the society was taken over by the generally unscrupulous, its original purposes had been largely achieved. So far as there was justification for it, it was to be found in its effectiveness as a means of driving out of power the hopelessly ignorant or shamelessly corrupt politicians who had been wrecking southern society.

Congress of course was compelled to come to the rescue of the upholders of its régime in the South, and it did so in various ways. In 1869 Congress submitted to the states the Fifteenth Amendment, which prohibited any state from denying the right to vote on account of race, color, or previous condition of servitude. In 1870, Congress passed the so-called Enforcement Act, which imposed heavy penalties upon all who infringed upon the rights conferred by the Fourteenth or Fifteenth Amendments. In order to make sure of justice, the federal courts were given jurisdiction over cases arising under the Enforcement Act. A later enforcement act extended federal power over Congressional elections in the South. Then the Ku Klux Act gave the federal courts jurisdiction over conspiracies against the blacks, and authorized the President to suspend the privilege of *Habeas Corpus*. So effective was the measure that there were over a thousand convictions under it in two years.

Both Congress and the state legislatures passed laws to give the blacks social equality, to match their political equality. Sumner was one of the liveliest agitators in behalf of equal rights, urging the negroes to insist upon recognition of their dignity on all occasions. The last step of Congress in this direction was the enactment of the Civil Rights Act of 1875, granting the blacks equal rights in hotels, places of amusement, on public conveyances, and on juries.

In the South "Reconstruction" is still looked upon as one of the gravest injustices ever imposed in this country. It piled up a load of needless debt, seriously retarded recovery from the effects of the war, and created a far wider gulf between the blacks and the whites. To be sure that was exactly what Sumner and Stevens set out to accomplish, and they got all the satisfaction which comes with success. Judged by its results, Congressional reconstruction was a stupendous blunder.

Angered and humiliated, and alienated from the North, the South

nursed its bitterness for a generation or more, and the feeling has not entirely disappeared even yet. Furthermore, reconstruction put an end to all prospects of a two-party system in the South. Every respectable white man there was enrolled in the Democratic Party. For this "solid South" the country can thank the Republican leaders of the reconstruction era.

THE RESTORATION OF WHITE CONTROL

In the South the primary concern was to throw off this incubus which Congress had fastened upon the section, and by 1875 results were beginning to appear. With the help of the Ku Klux Klan the white people regained control in Tennessee in 1869, and in Virginia and North Carolina in 1870. The negro voters were intimidated into staying away from the polls, so the whites had little opposition. They would have recovered Louisiana and Alabama at the same time, and in the same way, had it not been for the Congressional enforcement acts. Because of the large number of federal troops and federal marshals on duty there was little gain from 1870 to 1874; after that white successes came rapidly.

In course of time the rise of new interests and new issues drew the attention of the North away from the South, and so furnished the opportunity for which the section had long been waiting. News of ill-treatment of the blacks ceased to arouse a general response in the North. While the North was growing indifferent, the Southern Republican Party began to show signs of dissension; as so often happens, the thieves began to quarrel among themselves over the division of the spoils. As the negroes grew in wisdom and in skill, they demanded a larger share of the loot. Then too some of the states had been nearly bankrupted by the carpet-bag policies, and when the prospects of plunder diminished, the white leaders began to drop out. This situation gave the conservative whites their opportunity. In 1874 the white man's party carried Alabama, Arkansas, and Texas, and Mississippi in the following year. By the end of 1875, only three states were left under carpet-bag control: Louisiana, Florida, and South Carolina, and there the radical governments were upheld solely by the pressure of federal troops. When President Hayes withdrew them in 1877, those governments collapsed, and with their disappearance reconstruction was finished.

Henceforth the Democrats took undisputed possession of the

southern state governments, and proceeded to work back toward decency in their financial administration. Their first task, as they saw it, was the permanent elimination of the negro as a factor in politics. Sometimes intimidation was enough. The presence of armed men at the polling places kept the blacks away. In other cases more complicated methods were needed. South Carolina devised an elaborate ballot box system, with different boxes for the ballots for different officers. Under that law a ballot placed in the wrong box was void. The election officials shifted the position of these boxes frequently, so as to eliminate the negro votes. In almost every state where it seemed necessary the whites were ready to follow the example of the southern judge who declared: "I would stuff a ballot-box in order to have a good, honest government."

As a result of such work the Republican Party in the South was reduced to a skeleton organization. Down to the Cleveland administration all the federal office holders were Republicans, but as a factor able to influence elections there the party had ceased to exist. As conditions were then, there was no guarantee of permanence in the exclusion of the blacks. To prevent them from ever getting back into power, the states began to amend their constitutions to make the exclusion of the negroes as nearly permanent as possible. Some states did it by so fixing the poll tax laws that the colored people automatically disfranchised themselves. Then literacy and educational tests were devised, which could be manipulated to favor an ignorant white, and to exclude even an educated black.

But because these restrictions tended to keep out possible white voters, the states put into their constitutions the so-called "Grandfather Clauses," which permitted a person who had voted in 1860, or the descendant of any such person, to vote regardless of his failure to meet the requirements. Even though in 1915 the Supreme Court declared the Oklahoma Grandfather Clause unconstitutional, the position of the blacks has not been materially changed. These restrictions are so drawn that they do not violate the Fifteenth Amendment, but they do lay the states open to the penalty provided in the Fourteenth. That, however, has never been enforced. As the matter stands now, the southern white people take the exclusion of the negro as a matter of course, and any attempt to restore suffrage to the colored race would be strongly opposed.

CHAPTER XLVIII

GRANT AND POLITICS, 1868–1877

For a full decade after the enactment of the Reconstruction Acts of 1867 political compaigns and the national government were inevitably bound up with the Congressional policy in the South. The Republican Party had staked its very existance on the successful application of that policy, and Republican leaders used it as the main basis of their appeal to the voters. Whether they wanted to do this or not mattered little, because they were driven to it by the force of circumstances. In putting an end to slavery, the war and the Thirteenth Amendment had deprived the Republicans of their original reason for existence. Their reform had been accomplished. But the Republicans were more than reformers, they were a political party, and as a party they could not continue to live without an issue. An older organization might have kept itself alive with nothing but its past record to sustain it. Both the great parties have done that in more recent years. But at the close of the Civil War the Republican Party had no roots, no traditions, and no momentum acquired from age. Its only hope of success lay in the kind of appeal it was prepared to make right then.

THE ELECTION OF 1868

As the campaign of 1868 approached, the prospect was none too bright. The fundamental principle of Congressional Reconstruction was the proscription of the southern white people, and the enfranchisement of the blacks. Negro suffrage was generally looked upon with disapproval in the northern states, and no one could tell whether the country was prepared to indorse the Stevens-Sumner Carpet-bag régime or not.

The Republicans would doubtless have preferred to fight out the election of 1868 on the single issue of reconstruction, but they could not do it. A new currency issue had arisen, one which appealed strongly to many Democrats, probably because they saw in it a chance to embarrass the party in power. During the war the federal

government had issued "greenbacks" to the extent of $433,000,000. They had been put out as an emergency measure, and the government planned to retire them as soon as possible. By 1868 McCulloch, the Secretary of the Treasury, had succeeded in reducing the total in circulation to about $356,000,000. But this gradual retirement decreased the volume of money in circulation, and consequently sent prices down. Eastern business men generally approved the policy of retirement because they could appreciate the advantages of a speedy return to a hard money basis. But the debtor classes and farmers protested against the retirement, and in 1868 Congress put a stop to further withdrawals of these treasury notes. The debtor classes, and certain other interests, advocated retention of the paper money, and they even approved payment of the principal of war bonds in greenbacks instead of gold.

The rise of this issue placed the Republicans in a delicate position. They could not champion the cause of the debtors without alienating the support of business interests, and yet the debtor classes had votes which they wanted to keep. Being out of power, the Democrats were free to advocate anything, so they took the popular side.

Embarrassed by this currency issue, the Republicans had to select as their candidate a man who could draw votes regardless of the party's stand on the greenback question. The one man who best answered their purposes was Ulysses S. Grant, the hero of the war. To be sure he was not much of a Republican; the only presidential vote he had ever cast was for Buchanan, in 1856. But he was at least opposed to Johnson, and after considerable urging he consented to run. The Republicans were sure of the electoral vote in the six Carpet-bag states,— North and South Carolina, Florida, Alabama, Louisiana, and Arkansas, and there was a fair prospect of adding Georgia to the list. With those certain votes as a nucleus, they could depend upon Grant's great personal popularity to carry them through.

The Democrats were free to criticise the tragedies of reconstruction in the South, and to make any statement regarding the greenbacks which seemed most likely to win votes, but they were not so fortunate as to candidates. There were numerous aspirants for the honor, but not one could compare with Grant in a vote-drawing contest. There was Salmon P. Chase, former Secretary of the Treasury, then chief justice of the Supreme Court. He was very eager for the presidency, so keenly desirous that with a brazenness rare even

in politicians, he offered his name to both parties. Then there was Andrew Johnson, back in his original and rightful place in the Democratic party, anxious to succeed himself. There was also Francis P. Blair of Missouri, an intolerant opponent of radical reconstruction. And there was Pendleton of Ohio, popularly known as "Gentleman George," ready to run on the greenback issue. But the convention could agree on none of these, and on the twenty-second ballot, it selected Horatio Seymour of New York, governor of his state during the war, with a record which almost placed him among the "copperheads."

The Republican platform expressed approval of the reconstruction policy, and scathingly denounced President Johnson. The document condemned all schemes of monetary repudiation, but it was a trifle hazy on the greenback issue, hedging in order to appeal to both East and West. The Democrats strongly favored the Greenback policy.

In the actual campaign the Democrats labored under a heavy disadvantage in the person of the candidate. His war record had been almost disloyal, so that he antagonized numerous Democrats who might have voted for another candidate on the ticket. Grant won, with a popular majority of over three hundred thousand, and by an electoral vote of two hundred fourteen to eighty, carrying twenty-six out of the thirty-four states. Charges of fraud were circulated, with reference to the work of Democratic operations in Georgia and Louisiana, and especially in New York. Seymour carried his own state by a majority of exactly ten thousand, a figure carefully fixed by the managers, according to rumor, in the interest of certain heavy wagers.

The returns showed close votes in a number of states, so close that the Democrats found hope for the future. Once white control could be reëstablished in the South, the older party was almost certain to be restored to power. On the basis of the same evidence the Republicans saw that they must if possible perpetuate the Carpet-bag régime in the South, and to that end they pushed through the Fifteenth Amendment.

PRESIDENT GRANT

Grant entered office in 1869 with evidence of widespread popular confidence, and with the prospect of a comfortable term. His record during the war had completely obliterated all traces of his unfor-

tunate career before 1861. But probably at no other time in the history of the country had conditions been more unfavorable. It seemed that the war had resulted in a general letting down of the accepted standards of honesty and decency, especially in politics. Disreputable schemers and unscrupulous rascals found their way into public office, in the North as well as in the South, and no matter how honest the President might be, he was almost certain to be affected by the action of subordinates or associates whose morals he could not regulate. Almost any man would have encountered trouble, and Grant was so constituted that he fell in with considerably more than his share.

The new President soon found that his situation as President was very different from his position as Lieutenant General during the war. Then he had been free to work out his plans, regardless of political considerations. But as President he was also the head of a political party, and its demands upon him were unlike those of the army. At first he tried to pursue an independent course, especially in his Cabinet appointments, but independence for a president is an impossibility.

Grant soon found that he must have the support of Congress, and in seeking that he plunged headlong into trouble. Like some other military leaders he was a poor judge of human nature in general. He was thoroughly honest himself, so honest, so innocent of the ways of the political world, that he could never even suspect dishonesty in others. It is always pathetic to see a man with absolute confidence in human nature, and very little capacity for recognizing evil when he sees it, thrust into anything as thoroughly rotten as the politics of the late 1860's. Grant had to turn for help to the leaders of his party in Congress, and an unfortunate combination of events sent him to the very men with whom he could not afford to associate. He joined forces with the machine element, with the notorious Benjamin F. Butler of Massachusetts, with the unscrupulous Cameron of Pennsylvania, and with the wily, hardheaded Conkling of New York. Submitting to their leadership, he became a sort of screen to protect them from the consequences of their work. Then too the new President had unfortunate associations with James Fisk and Jay Gould, two of the most successful stock market plungers of their day.

The Grant administration generally partook of the flavor of Butler and Fisk. Everywhere, in government circles and out, a spirit of

unscrupulous wealth-getting prevailed. During the latter part of Grant's first term ugly stories concerning the "Credit Mobilier" scandal were circulating widely. This "Credit Mobilier" was a construction company, composed of some of the leading stockholders of the Union Pacific Railroad. The type of organization made it possible for these stockholders to let the contracts for building the road to themselves. Their hope of profit lay in the extensive grants of public land which Congress had made to the Union Pacific. In 1868 these grants had been increased. An investigation showed that Oakes Ames, a member of Congress, had distributed blocks of Credit Mobilier stock among his associates in Congress, placing it where it would influence votes. Some of the most prominent men in Washington accepted these favors, which were sheer bribes. After its investigation Congress censured Ames, but exonerated all the others, a judgment which enabled them to retain their reputation for honesty, perhaps, while it held them up to the world as men so dense as not to recognize a bribe when they saw one.

In February, 1873, just before the expiration of Grant's first term, Congress passed a measure popularly known as the "Salary Grab." This provided for an increase of pay for all federal executive officers, judges, and Congressmen. The salaries of Congressmen were raised from five thousand dollars per year to seven thousand five hundred, and the advance was made retroactive. This notable specimen of public service, whereby each Representative would collect five thousand dollars extra at the end of the session, was guided through Congress under the direction of Benjamin F. Butler. Some of the Congressmen were honest enough to refuse the gift.

Other evidence of official corruption came to light during Grant's second term. In 1875, Bristow, the Secretary of the Treasury, finally secured evidence against the so-called "Whiskey Ring" in the Middle West, a combination of distillers and revenue officials whose purpose was to defraud the government. Inside of ten months the ring had taken over a million and a half dollars that rightfully belonged to the Federal Treasury. General Babcock, the President's private secretary, was accused of complicity in the thefts, and Grant himself, in absolute innocence, accepted valuable presents from one of the leading distillers. The disclosure of the fraud was bad enough, while the connection with the President's official family was worse, but the most disheartening feature of the whole episode was the

resignation of Bristow, forced by the sinister combination because of his reforming activity.

Other disclosures alleged that Belknap, the Secretary of War, was practically selling appointments to the traders in the Indian Territory. When Congress prepared to impeach Belknap, Grant accepted his resignation, and so protected him from any Congressional proceedings. Here again Grant was innocent of any intention of wrong doing. He could never bring himself to desert his friends, and he could not believe that they were corrupt.

THE GOLD CORNER

One of the numerous examples of unscrupulous financiering of this day, and one in connection with which Grant's name was often mentioned, was the extraordinary attempt of Jay Gould and James Fisk, Jr., to corner the gold market. Because of the suspension of specie payments during the war gold had become a speculative commodity, as well as the standard of value. Merchants engaged in foreign trade had to buy gold occasionally, and all importers had to buy, in order to pay their customs duties. Consequently the price fluctuated from day to day just as the prices of bonds or cotton or wheat fluctuated with the ups and downs of trading and speculation. In the section of the country of which New York was the financial center, there was generally about twenty million dollars' worth of gold available. The United States Treasury held ordinarily from seventy-five to a hundred millions. Every month the Treasury sold a certain amount, in order to make it available for ordinary business needs. In the summer of 1869 the price of gold averaged around one hundred thirty-two.

During the war, with the steady advance in prices and the rapidly expanding volume of business, speculation was widespread. Almost everybody was buying stocks, bonds, or commodities, in hopes of making an easy fortune. Never before had the mania for gambling taken such firm hold of so many individuals. By 1869 the ordinary little speculators had been forced out of the market, but the big men were plunging more heavily than ever.

Among the most notorious speculators were Jay Gould and James Fisk, Jr. Gould was a well-groomed, courteous person, not at all conspicuous in appearance, inclined to be suave in manner. In Wall Street he was known as one of the most successful of the large scale operators. Fisk had considerably less polish than Gould, but just as

much business ability. It would be difficult, perhaps, to describe his character accurately in a brief paragraph.[1] These men were some of the first products of the new "big business" which was developing in the United States. Gould had an active, restless mind, always on the alert for new schemes of making money. At this time he was deeply involved in his experiment of speculating in Erie Railroad stock, a line which had recently fallen into his hands. He had tried ordinary stock-jobbing methods so often that they had lost their charm, and he was hunting for more daring enterprises. After a time his fertile brain evolved a plan to stimulate grain shipments over his road. He reasoned that if gold could be forced to one hundred forty or forty-five, the price of wheat would advance, and farmers would begin to sell. The crops would move east over the Erie, and in that way the road would have something more worth taking. Incidentally, in forcing up the price of gold, he might actually "corner" the market, that is, control it so that needy merchants would have to buy of him, at his own price.

To make the scheme a success he would first of all have to put a stop to any more sales of gold by the United States Treasury. It so happened that President Grant's brother-in-law, Corbin, lived in New York. He was a retired business man and occasional speculator, and Gould turned to him. Cleverly unfolding to him the plan for stimulating crop movements, Gould not only converted him, but he did it so unobtrusively that Corbin came to believe that the idea was his own! When Grant came on to New York, Corbin urged Gould to come around and call. He did so. More than that, he and his associate, Fisk, entertained Grant most royally, as their guest.

At first Grant was not disposed to favor the device for moving wheat, but by September, he had become a convert to Gould's policy. After another interview with Gould, Grant wrote his Secretary of the Treasury, Boutwell, suggesting that the sales of gold from the Treasury be stopped. Boutwell then gave orders for the assistant treasurer in New York, Butterfield, to sell no more gold without orders. Corbin knew that Grant had written to Boutwell, and he kept Gould informed of developments. Gould had been buying gold before; now he bought heavily, and as the price moved upward, he bought, on his own responsibility, for Corbin, and for Butterfield, as

[1] For a brief sketch, see Rhodes, *History of the U. S.*, VI, 247–257.

well as for Horace Porter, Grant's private secretary. Porter had the decency to repudiate the purchase on his account; Butterfield denied that any had been made for him; Corbin, so it appeared, was not unwilling to accept a profit in the venture. Gould gave him a check for twenty-five thousand dollars—so drawn that Corbin's name did not appear on it. Finding it difficult to keep the price up at one hundred thirty-seven, Gould induced Fisk to enter the game. He demurred at first, fearing that the government would break the corner by unloading gold from the Treasury. Gould assured him that there was no danger, because Grant was "fixed."

On September 13, Grant left New York, where Gould had talked with him, and went off for a vacation into the hills of Pennsylvania, miles away from railroads and the telegraph. At this point the report spread that the government was going to sell gold. Becoming alarmed at these rumors, Gould induced Corbin to write the President urging that he prevent any sales. Corbin did so, and sent the letter by a special messenger. Grant got the letter on September 19. The manner of the messenger aroused his suspicions, and he had Mrs. Grant write to Mrs. Corbin, urging her to persuade Corbin to withdraw from the gold market.

Corbin decided to drop out, although before doing so, according to Gould's testimony, he asked for another check. Gould heard of Corbin's withdrawal on Thursday morning, September 23. At that time he had about fifty millions of gold, and he immediately began to sell. Fisk was still buying, and before nightfall gold had risen to one hundred forty-four. Merchants and importers could see nothing but ruin ahead. "Bear" speculators, heavily short, were talking panic or suicide. On September 24, "Black Friday," Gould was still selling, and Fisk was buying more madly than ever. Gold rose from one hundred forty-four to one sixty-two. Then the Treasury began to sell gold, and the price dropped to one thirty-five.

Gould had disposed of his purchases, probably with ample profit; Fisk repudiated his contracts, leaving his brokers to fail. The two men then took refuge in the offices of the Erie Road, where they were guarded by a crowd of armed thugs. In spite of the fact that, to all appearances, Gould had "sold out" Fisk, the two speculators remained partners and friends, until Fisk was assassinated by one of his victims. What sort of an agreement they had made has never been revealed. Although Congress investigated the "gold conspiracy,"

neither Gould nor Fisk related the whole story, and even what they did tell was not necessarily true.

Because of Corbin's connection with the attempted corner, and because of Grant's own shortsightedness in accepting the hospitality of Gould and Fisk, rumor linked the President's name with the conspirators. But there is no evidence that Grant was in any way involved. He was innocent to the point of guilelessness, and in this, as in the other corrupt spectacles of his administration, he has been cleared of any responsibility.

FOREIGN RELATIONS

For a time it seemed that the prevailing flavor of the Grant administration might even penetrate to its foreign relations, but fortunately that fear was not well-founded. To be sure Grant appointed as minister to England, Robert C. Schenck who "brought disgrace upon himself and his government, in 1872, by association with a dubious mining speculation," [1] but he did no serious harm. When Johnson left office, the prestige of the United States in its foreign relations had never been greater. Seward had maneuvered the French out of Mexico, and he had also, in 1867, succeeded in purchasing Alaska. This region,—sometimes known as "Seward's Folly"—he had secured from Russia for seven million dollars.

He had previously tried to buy the Danish West Indies, but was blocked by the refusal of the House to appropriate the money. Then he turned to Santo Domingo, the second largest island of the West Indies. In 1868 the "president" of the Dominican Republic expressed a desire for annexation to the United States; but while both Johnson and Seward approved, Congress could not be induced to sanction the project.

Grant was very much interested in the possibility of buying Santo Domingo, and in September, 1869, he had his private secretary make arrangements for a treaty of annexation. He did this without the knowledge of the Senate, or of his Secretary of State. When Grant submitted his treaty, Sumner secured its defeat. Grant still continued to push it, and a special commission was appointed to investigate the whole question. The commissioners reported in favor of annexation, but Congress still refused to act, and Grant then gave up in disgust.

[1] Dunning, *Reconstruction, Political and Economic*, p. 231.

During this same period one American minister after another in England had continued to press the subject of the depredations of the *Alabama* during the Civil War. At first the British foreign office would not consider any proposal of arbitration, but in 1868 Reverdy Johnson succeeded in getting an agreement to arbitrate. Although this Johnson-Clarendon Convention was especially favorable to the United States, the Senate could not be induced to ratify it. It was signed shortly before the expiration of Johnson's term, and the Senate would do nothing which might in any way give him prestige or credit. Then too Sumner insisted upon heavier indemnities from England than this country could have secured under the Convention.

In the Grant administration Hamilton Fish, the new Secretary of State, resumed negotiations, and as a result of his efforts, the two governments agreed to the Treaty of Washington, signed May 8, 1871. This dealt with a number of unsettled questions, among which the *Alabama* claims were the most important. The Treaty provided that they should be submitted to a special court of arbitration, sitting at Geneva, and at the same time it laid down the rules upon which the decisions were to be based. In addition the Treaty made arrangements for settling certain disputes over the fisheries, the navigation of the St. Lawrence, the Lakes and the Canadian canals, and the boundary in the extreme Northwest. In 1872 the Geneva Commission awarded the United States the sum of fifteen million five hundred thousand dollars in settlement of the claims.

Creditable as this achievment was, it left a far less vivid impression in the public mind than the stories of fraud in administrative circles, and with the approach of the next presidential campaign these reports were actively circulated by the Democratic Party. In addition to the Democrats there was a group of journals and newspaper editors, who would have been Republican under normal conditions, but who insisted upon a change in personnel and in policy before pledging their support. Among these were Godkin of the *New York Nation*, Bryant of the *New York Evening Post*, and Bowles of the *Springfield Republican*. In their demands for reform they were ably assisted by Carl Schurz of Missouri. Specifically, those who were dissatisfied with the Grant administration were calling for civil service reform, in order to break the hold of the corrupt politicians, tariff reduction, in order to bring the high war rates on imports down to a reasonable level, and a more liberal policy toward the South.

Grant was so intimate with spoilsmen of the Butler and Cameron type that nothing in the way of a diminution of civil service evils could be expected from him. In 1870 he signed a new tariff bill designed to maintain the existing duties, regardless of their unfitness in time of peace. As for Congressional reconstruction, Grant had consistently given it his support. Finding the President indifferent if not positively hostile to any change in prevailing policies, the reformers began to consider the feasibility of some other candidate. Out of this situation came the Liberal Republican movement of 1872.

THE LIBERAL REPUBLICAN MOVEMENT

In 1871 Carl Schurz was trying to unite the various reform elements into a single political organization, on a platform including the principles already mentioned. When Congress met in 1871 it was plain that the threatened cleavage in the Republican Party was already under way. Many "Liberals" broke with the administration and joined the Democrats in unearthing the mass of corruption in the New York Customs House, the center and mainstay of the Republican organization in that state.

The evidence concerning party methods discovered there strengthened the Liberal forces throughout the country. Many of the original founders of the party, genuine idealists, joined the Liberals, as did some of the most prominent editorial writers in the East. Along with the idealists were to be found an appreciable number of professional politicians, men who for one reason or another had fallen out with the administration, but who had no particular interest in reform, least of all civil service reform. With this group as a nucleus, the leaders were prepared to make overtures to the Democrats, in a bid for their support.

The Liberal Republican convention, or rather mass meeting, met at Cincinnati. Because there was practically no local organization in the states, the delegations varied considerably in size, and even more in principles. In drawing up their platform the Liberals criticized Grant for his appointments, and for his political friendships, and declared him unfit for the presidency. Concerning the South the new party demanded complete amnesty, and it insisted upon a reform in the civil service system. Because the factions could not agree on a tariff policy, they left it for the people to decide in selecting Congressmen.

For candidates the Liberals had a variety, ranging from Charles Francis Adams, perhaps the ablest intellectually of the lot, through David Davis, Salmon P. Chase, and B. Gratz Brown to Horace Greeley of the *New York Tribune*. Adams led on the first ballot, but on the fifth he was fifty-one votes behind Greeley. Shortly afterward the Illinois delegates withdrew for consultation. Their purpose was to start a big Greeley demonstration which they had all worked out for use at the critical moment. In the words of one of the reporters: "Then came the spontaneous rally which had been carefully planned the night before. The Hall was filled with a mechanical, preordained, stentorious bellowing. Hoary-headed, hard-eyed politicians, who had not in twenty years felt a noble impulse, mounted their chairs and with faces suffused with a seraphic fervor, blistered their throats hurraying for the great and good Horace Greeley." This device turned the trick and in a wild stampede the majority turned to Greeley.

The success of the erratic editor was brought about by the professional politicians in the convention. They had long been familiar with party practices, and they were able to take advantage of the ignorance of the reformers. To their minds Adams was the last man in the world to nominate, because he could not be depended on "to play with the boys." They knew that Greeley was none too deeply interested in civil service reform, and they could put more trust in his impulsiveness than in Adams's rational common sense.

As a whole the Liberals were profoundly displeased with the work of their Convention. None of the reformers wanted Greeley, but they decided to make the best of it. The party had pinned its hope of success on its ability to win over the Democrats, but the Democrats had even less reason than the reformers to indorse Greeley. For years the *Tribune* had been noted for its biting condemnation of the Democrats. Greeley liked nothing better than to explain to his readers, with that luxuriant phraseology which made him famous, how thoroughly rotten the Democrats were. "Not all Democrats are horse-thieves," he was fond of saying, "but all horse-thieves are Democrats." And yet, in spite of the manifest absurdity of the thing, the Democratic convention accepted both platform and candidate of the Liberals.

There was no doubt that the regular Republicans would renominate Grant. The whole force of the patronage was put to work, and

every office-holder was ordered to secure the selection of Grant delegates to the convention. Only a single ballot was necessary, and it was unanimous.

The campaign itself was perhaps more unedifying than any previous election had ever been. It was primarily a contest over personalities, and the speakers relied generally upon abuse and misrepresentation. The *Nation* declared that "the campaign work is a shower of mud to a far greater extent than that of any other campaign within our remembrance." What was the use, as one man put it, to turn out a knave and put in a fool?

In the popular vote Grant got 3,597,132, Greeley 2,834,125. Greeley died before the electoral vote was counted, and that undoubtedly gave the Republicans a heavier electoral vote than they would otherwise have received. Grant won primarily because he had the help of the trained campaign workers, plus ample financial backing. The chairman of the Republican national committee was E. D. Morgan, cousin of the banker.

THE PANIC OF 1873

Grant's second term was hardly more than started when the country was suddenly plunged into a great financial and industrial crisis—the Panic of 1873. This started on September 18, with the failure of the banking house of Jay Cooke and Co. Thirty more banks failed in the next two days. Cooke had become deeply involved in promoting the Northern Pacific Railroad, and at the time of the crash he was carrying a heavy load of Union Pacific stock. While his failure was the immediate cause of the Panic, the underlying causes were to be found in the vast business development during and after the Civil War. Heavy investments had been made in enterprises which were clearly worthless, or which could not pay dividends for years to come. Too much capital was therefore tied up beyond reach. At the same time the falling prices, or the appreciation of money, increased the burdens on all who were in debt. The crisis quickly spread over the financial and business structure of the whole country. Railroads, wholesale merchants, and factories all went into bankruptcy. For a time all business was at a standstill, and the country did not fully recover for six years.

It was a time-honored custom in the United States to hold the party in power responsible for a financial crash of that sort, and the

voters were only too willing to do so at this time. It was natural to assume that the panic was in some way bound up with, if not produced by the notorious corruption in the conduct of public affairs. As the Congressional elections of 1874 approached the administration leaders had good reason for their uneasiness. Finding little in their own recent activities to serve as attractive issues for the campaign, the Republicans laid greater emphasis upon the outrages in the Southern states. Republican newspapers were urged to give particular attention to the scenes of violence in the South, "until after the election."

But these almost frantic efforts to conceal their own shortcomings proved futile, and the election went so heavily against the party in power that it is commonly described as the "Tidal Wave of 1874." The Republican majority in the Senate was cut down, while the House, formerly Republican by two-thirds majority, got a Democratic majority of seventy. For the first time since the Secession movement the Democrats were in a position to influence the course of the federal government. Not the least of their advantages was the chance to conduct official investigations into the past history of the Grant administration, in order to find material for use in the next presidential campaign.

THE DISPUTED ELECTION, 1876–1877

The last of the presidential campaigns in which reconstruction figured as one of the leading issues was that of 1876. Disclosures of corruption, plus Republican unpopularity brought about by the Panic of 1873 threatened to give the highest office to a Democrat, and the party in power made a determined attempt to restore its rapidly wilting strength. The easiest way to do that was to draw the country's attention away from whiskey rings, salary grabs, and the industrial depression by reviving the high-strung emotionalism of war time. In this work, technically known as "waving the bloody shirt," James G. Blaine, the Speaker of the House, took the lead. In January, 1876, while an amnesty bill was under consideration, Blaine began to recall the horrors of war, and at the same time he made insulting remarks to and about the sixty-one Confederate veterans who were then in the House. He hoped to enrage them so that they would make some hot-tempered retorts which he could use against them. But the Democrats were not entirely devoid of strategy them-

selves. While Blaine was waving the bloody shirt, they proceeded to air in the House some of his ventures in railroad speculation.

As Speaker, Blaine had facilitated the passage of a bill which was of material assistance to the Little Rock and Fort Smith Railroad. After that episode the company allowed him to acquire a large block of the road's securities under peculiarly favorable conditions. These he eventually unloaded upon the Northern Pacific, at prices far above their actual value. In his own correspondence, some of which found its way into the hands of his enemies, Blaine practically admitted his willingness to use his public position as a means for improving his own private fortune. He seems to have had a somewhat blunted sense of official propriety, but no charges of actual corruption were ever proven against him. In fact, when judged by the standards of Simon Cameron, Benjamin F. Butler, or even of Roscoe Conkling or "Tom" Platt, Blaine was a model of civic virtue. As compared with certain notorious Democrats, William M. Tweed for example, Blaine was righteousness personified. Under the circumstances, with the record of their party in New York still fresh, the holy horror which the Democrats expressed over Blaine's shortcomings was due to no very deep-seated convictions. The "bloody shirt" and Blaine's railroad deals were mere exercises in the strategy of politics.

And yet there was enough honesty in the Republican Party at large to weaken Blaine as a leader, at least so some authorities see fit to explain it. But Blaine had slightingly referred to the party patronage monger, Roscoe Conkling of New York, as a turkey cock, an allusion with so much truth in it that Conkling never forgave him. Without the support of the New York contingent in those days a man had little chance in national politics. So it happened that in spite of his great personal popularity, Blaine was unable to secure the Republican nomination. Among the other possibilities there was Conkling himself, an able corporation lawyer, and a genius at politics, with a reputation for unscrupulous dealing which has never been entirely effaced. Then there was considerable talk of a third term for Grant, but precedent stood squarely in the way of that. The man who finally got the Republican nomination in 1876 was Rutherford B. Hayes of Ohio.

The platform demanded protection for the Southern negroes in their struggle to preserve their political rights, and indorsed the plan for resuming specie payments in 1879. It also paid its respects to the

Democratic Party, characterizing it as "equally false and imbecile" on the financial issues of the day, and as "utterly incompetent to administer the government." In its own behalf it found cause to praise itself for its honorable work in the conduct of both domestic and foreign problems. Humorists have found amusement in the Republican plank on civil service reform.

> "The invariable rule in appointments should have reference to the honesty, fidelity, and capacity of the appointees, giving the party in power those places where harmony and vigor of administration require its policy to be represented, but permitting all others to be filled by persons selected with sole reference to the efficiency of the public service, and the right of all citizens to share in the honor of rendering faithful service to the country."

If it was not this particular plank, it was one like it which inspired the remark that "political platforms are like car platforms, made not to stand on, but to get in on."

The Democrats nominated Samuel J. Tilden of New York, an able lawyer, with a record for reform. He had been active in prosecuting the Tweed Ring, and in 1874 he won the governorship of New York in spite of the opposition of Tammany Hall. The platform proclaimed the need of instant and thoroughgoing reform, denounced the "financial immorality and imbecility" of the Republicans, stormed about the high tariff, and dwelt with glowing emphasis upon the abuses which they had discovered in the Grant administration.

The campaign itself was tame and respectable. Hayes and Tilden were both quiet gentlemen, not widely known outside their own states. Their reputations were good, and their records clean, so that, even though they inspired little enthusiasm, they did not stir up any vilification. Greeley had aroused both wrath and ridicule. These candidates did neither.

When the first returns came in, it appeared that Tilden was elected. Later reports seemed to confirm his success. He had carried every southern state, plus New York, Indiana, New Jersey, and Connecticut. If these reports were based on fact, he would have two hundred three electoral votes, to one hundred sixty-six for Hayes. His popular plurality over Hayes was about two hundred fifty thousand. Early in the morning after election day the Republican managers went home, convinced that they were beaten. But John C. Reid, the news editor of the *New York Times*, felt that the result might be in doubt, and he hurried over to the Republican headquarters, to

convince the leaders that Hayes's chances were by no means hopeless. On the strength of his optimism the Republicans decided to claim the election for Hayes, and sent out reports stating that he had one hundred eighty-five electoral votes, and was therefore elected.

Actually, Tilden had one hundred eighty-four votes, just one short of the majority; Hayes had a hundred sixty-six sure, nineteen short of the majority. All the votes of South Carolina (seven), Louisiana (eight), and Florida (three), were in doubt, as was one of the Oregon votes. Hayes needed all these to win, Tilden one of them. In Oregon one of the electors chosen was a postmaster, constitutionally disqualified from serving. He promptly resigned his postmastership, but the Democrats in the state insisted that he could not serve, and that the next highest on the list, a Democrat, was legally chosen. The Republicans sent in one set of returns, with three Republican votes; the Democrats sent in another, with two Republican and one Democratic votes. In the three southern states the uncertainty arose from the chaotic conditions due to reconstruction. The only governments there which were officially recognized by the federal authorities were the Carpet-bag organizations, kept in power solely with the help of federal troops; they had no support among the white voters.

In South Carolina there had been a disorderly campaign, with race riots and intimidation of negro voters. The returns showed a small Hayes majority, and the state returning board certified those electors. The Democrats claimed the victory, and carried the case into court. As a result two sets of returns were sent in, one Republican, the other Democratic. In Florida it was plain that both parties had been guilty of barefaced fraud. The returns, however, showed a slight Republican majority, and the Republican electors were duly certified. This case went to the courts, and three sets of returns went in, one Republican, and two Democratic.

In Louisiana the Tilden electors had a majority of several thousand on the face of the returns, but the state returning board, negro Republicans for the most part, threw out enough ballots to give Hayes a majority of three thousand. As in Florida, both parties had been utterly shameless in their methods. Out of the Louisiana tangle four sets of returns were finally sent in.

The month between the election and the meeting of the electoral colleges was a time of feverish activity for the leaders on both sides.

Evidence discovered later proved that the Democratic managers had tried to buy up the necessary elector. Telegrams were sent out, in cipher, many of them from Tilden's own residence, and signed by his nephew, in connection with this work. On December 2, Colonel Pelton, Tilden's nephew, got word that he could have the Florida electors for two hundred thousand dollars, but he refused to pay so much and the chance was lost.

The electoral colleges met on December 6. Congress had assembled two days before. According to the Constitution, the electors send their votes to the President of the Senate, who opens them in the presence of the two houses of Congress, and then the votes are counted. But the Constitution does not say who shall count the votes. In this particular case, if the Senate counted them, the Republicans would win, because the Senate was Republican. The Democrats had a majority in the House.

THE ELECTORAL COMMISSION

After a good deal of angry discussion, Congress finally agreed to a compromise plan, by which an Electoral Commission should be created, to pass on all returns concerning which the two houses could not agree. This commission was to consist of five Senators, five Representatives, and five justices of the Supreme Court. A bill for this purpose was passed and signed. The Senate named two Democrats and three Republicans, the House three Democrats and two Republicans. Four of the Supreme Court justices were named in the law, two of each party. These four were to appoint the fifth, with the understanding that David Davis of Illinois should be the victim. But to his great relief the Illinois legislature, with a Democratic majority, elected him to the United States Senate, so he refused to serve. All the other judges were Republican, so the Commission was composed of eight Republicans and seven Democrats.

On February 1, 1877, Congress settled down to the exciting task of counting the votes. There were no difficulties about the returns from the first few states, but when those from Florida were reached, the two houses failed to agree, and according to law they went to the Commission. On February 7, the Commission voted, eight to seven, not to go back of the returns, and because the Republican returns from Florida were duly authenticated by the proper officials, the Commission took them at their face value. As a result, the Repub-

licans got Florida. On February 16, the Commission, by a vote of eight to seven, accepted the Republican returns from Louisiana. The Oregon case was decided next, in the same way.

For a time the Democrats were tempted to start a filibuster, and so delay the count until March 4, when the life of that Congress would expire. But certain influential Republican leaders, who happened to know what Hayes would do if elected, promised the Democrats that if the count were completed, Hayes would withdraw the troops from the three states. That would make them solidly Democratic for the next election. With this understanding the count went on, and South Carolina went to the Republicans by the same strict party vote of eight to seven. At four o'clock in the morning, March 2, the count was completed, and Hayes was elected with one hundred eighty-five votes.

If all the electoral votes in dispute could have been thrown out, Tilden would have been elected; but there were Constitutional difficulties which made that impossible. Since they had to be counted, Tilden was as much entitled to all of them as Hayes, and his claim to one of them was certainly better than the Republican claim to them all. In the three southern states the methods resorted to by both sides were so bad that there is no way of deciding the controversy on its merits, for it had no merits. Every argument which justified the acceptance of the Republican votes would have applied equally well to the acceptance of the Democratic returns, except one. The corrupt Republicans had the good fortune to control the state returning boards, while the corrupt Democrats were not so lucky; federal troops had kept them out.

It is not surprising that the Democrats should have accused the Republicans of theft, and they went to work to compile evidence for use in future campaigns. They made out a very damaging case, but again chance wrecked Democratic hopes. During the contest hundreds of cipher telegrams passed between the Democratic headquarters and various local henchmen. Most of these in some way came into the possession of the *New York Tribune*. For a time nobody could find the key to the code, but at last two ingenious reporters succeeded in working it out. These cipher dispatches revealed so much fraud, and willingness to resort to fraud, among the Democrats that the edge was taken off the weapons which they had prepared to use against the Republicans. Dishonors were even.

CHAPTER XLIX

THE FAR WEST AND THE NEW SOUTH

An eminent American historian has said that the history of the American people is best revealed in their politics. That may be, but unfortunately there have been times when those politics have resembled, not the essence, but the dregs, of our national experience. They certainly had a most unsavory appearance and odor during the two decades immediately following the Civil War. For periods of that sort, it is both pleasant and reassuring to find types of activity outside the political realm in which American character is more properly illustrated. Very likely, too, it was the overwhelming pressure of these other interests which turned the attention of the people away from the politicians, so that they were left to wallow in their corruption without serious interference. During this same period American "captains of industry" were constructing the great industrial and commercial organization which has for evil or for good so completely transformed American life. In any case its very bigness compels wonder, if not admiration. At the same time financiers and railroad builders were completing the links in a national transportation system, thus tying the parts of the country much more closely together. And while all this was going on, the people themselves were filling up the far West, thereby completing the story of expansion which started with the first offshoots from Jamestown, Plymouth, and Boston.

THE LAST FRONTIER

In 1865 the settled country reached a line running along the western borders of Minnesota and Iowa, through central Nebraska, and Kansas, down the western boundary of Arkansas, and through the middle of Texas. Beyond this frontier line was a block of open country a thousand miles east and west, and another thousand north and south. In it there were three centers of settlement: Utah, California, and Oregon, with a total population of perhaps a million and a half. Broad stretches were entirely uninhabited, while in others there were more or less uncivilized Indian tribes. By 1890 this same region was

so nearly settled that the census map makers could not draw a frontier line, and the days of the "wild west" were practically over. Between 1864 and 1890 seven new states were admitted to the Union: Nevada in 1864, Colorado in 1876, Montana, South and North Dakota in 1889, Idaho and Wyoming in 1890. Utah, which would



have been admitted before had it not been for the practice of polygamy by the Mormon Church, was admitted in 1896. Arizona and New Mexico were not admitted until 1912.

The first pioneers in this new West were the miners. The big rush to Nevada and Colorado had begun in 1859, and that to the Black Hills in Dakota came shortly after. Prospectors were actively at work in Arizona in 1863, and in Idaho and Montana, by 1869. These early mining camps had a picturesque population, immortalized in the pages of Bret Harte and Mark Twain. Social life centered in the saloon, the gambling house, and the dance hall, while the revolver and the noose were substituted for regular judicial process.

After the miners came the cattlemen, eager to take advantage of the free grazing opportunities on the western plains. Herds were pastured without charge on the public land, all over the grass land. The annual "long drive" was one of the picturesque phases of the

life of the cattlemen. Starting from Texas in the spring, when the grass began to dry up, the cowboys drove their herds slowly northward, until they reached the Dakotas or Wyoming. In the fall they would sell some or all of their herds, either to stock new ranches, or for beef, and then go back to start over again. The cowboys were as wild as the miners, and in some of the cattle country, between 1876 and 1886, vigilance committees shot and hanged more men than have been legally executed in any six states ever since. In New Mexico a small scale war was carried on between outlaws, under the leadership of "Billy the Kid," and the ranchers.

Farmers followed the cattlemen, and as they increased in numbers the country underwent a rapid change. Settlement on the western lands was stimulated by the passage of the Homestead Act, in 1862. This enabled a pioneer to get a farm for practically nothing, provided he would clear the land and cultivate it. During the latter part of the war, and steadily thereafter, settlers by the thousand moved out into the plains. They fenced off their farms, and so put an end to the free cattle ranges—and incidentally to cheap beef.

As the farms increased in numbers, the Indians were inevitably crowded out of the better lands. The story of their dispossession is one of almost continuous warfare, lasting over a period of several years. Between 1868 and 1882 there were thousands of engagements between Indians and federal troops, and on the whole series of Indian wars after 1865, the United States spent twenty-two million dollars. The story of the wars is not a pleasant one, marked as it is by broken promises, forced removal, official dishonesty, and general injustice. But the contest was inevitable, because there was no way of restricting the movement of the Indians without war, and no possible way of checking the advance of the whites. The last outbreak, which occurred in 1890, marked the end of the Indian menace.

The destruction of the Indian power was due in general to the steady increase in the number of white settlements, and along with that, to the destruction of the buffalo herds. These animals had furnished the Indian with food, clothing, bowstrings, and skins for his tepees. Originally the buffalo had ranged over the whole interior of the country, from the western slopes of the Alleghenies to the Rockies. In 1770 George Washington and some friends shot five in one day in what is now West Virginia. By 1830 those east of the Mississippi had all been killed, but even after the Civil War those in

the West still numbered millions. In 1869 a train on the Kansas-Pacific Railroad was held up for eight hours, while a steady stream of buffaloes moved across the track. While the Union Pacific was being built, during one year and a half, Colonel William F. Cody killed over four thousand, thereby winning the title of "Buffalo Bill." By 1887, there were only a few hundred left, and at the present time there are a few score still preserved, as curious survivors of an age that has passed, in the Yellowstone National Park.

During the era of white settlement the government was compelled to change its Indian policy to meet the new conditions. Beginning with 1834 the tribes east of the Mississippi River were moved to Indian territories west of the river. The regions assigned to the tribes became smaller and smaller, as the demand of the whites for lands increased. President Grant urged that the plan of Indian territories be abandoned, and that the Indians be placed on reservations, where they could be adequately protected against unfair treatment.

In 1869 Congress authorized the appointment of a Board of Indian Commissioners, to have general oversight of the whole Indian problem. The Commission made an effort to civilize the tribes under its care, and its success was perhaps greater than had been expected. In 1871 the practice of making treaties with the Indians was finally brought to an end.

On the reservations the Indians were not economically independent, and the United States Government supplied them with rations in case of need. Some of the reformers felt that conditions might be improved if the principle of individual ownership of land could be introduced. In 1887 Congress passed the Dawes Act, making this provision. The reservations were divided among the Indians in such a way that each head of a family received one hundred and sixty acres, while each unmarried adult male received eighty acres. In order to give the experiment a thorough trial the Act prohibited the new owners from mortgaging or disposing of their holdings for at least twenty-five years. At the same time the Dawes Act admitted the Indians to citizenship.

The total Indian population in the United States at the present time is about two hundred and sixty-six thousand, close to what it was when Columbus discovered America. Some of the Indians have developed into thrifty farmers, while others have remained incompe-

tent idlers. For many of them the drink and disease of civilization have meant ruin. What their future will be is a question, but they have long since ceased to be a factor of importance in the West as a whole.

WESTERN TRANSPORTATION

The Homestead Act helped to fill up the West with farmers, and once there, the farmers were demanding railroad facilities. When these were built, they gave an additional stimulus to settlement. Ever since the acquisition of California in 1848 there had been a lively interest in a transcontinental railroad, and had it not been for the slavery tangle, actual construction would doubtless have been started before 1860. Although nothing definite was done until after the outbreak of war Congress did authorize the establishment of a mail service to the Pacific. In 1857 the Post Master General called for bids for an overland mail, from the Missouri River to Sacramento, California. The contracts, to run for six years, provided for service semi-weekly, weekly, or semi-monthly, at the discretion of the Department. The time limit for each trip was twenty-five days.

The contract was let in 1857, and in September, 1858, the first coaches started, one from each end of the line. The distance, over the Santa Fe trail, was 2,795 miles, and the first coach to go through did it in twenty days and eighteen hours. That meant traveling at the rate of one hundred and thirty-three miles per day, over the roughest of trails, or over no trails at all. Because there were no settlements for hundreds of miles on a stretch, the company built stations, where horses could be changed.

The coaches used were specially built for the service, with heavy wheels, set far apart, while the body was hung on leather thoroughbraces, because no springs could be made to stand the strain. Inside were three seats, for three passengers each, with curtains to keep out the rain and cold. Sometimes the body of the coach was filled three feet deep with mail, and the passengers had to dispose themselves as best they could on top of the sacks. The time for the trip averaged twenty-two days, regardless of weather. At the stations, where horses were changed, the coach stopped ten minutes, for meals. For passengers who liked to tempt fate, nothing held out greater inducements than this coach trip to California. Fellow-travelers were often drunk, as were some of the drivers, and there was always danger

of Indian attacks. The surprising thing is that so many came through alive.

In 1860, the more spectacular Pony Express line was started, running from St. Joseph through Fort Laramie, Salt Lake City, and Carson City, to Sacramento. The stations on this line were about twelve miles apart, and before the line was opened horses and riders were distributed at those points. On April 3, 1860, the first riders started. The average time from St. Joseph to Sacramento was ten days, and the record was eight days. The riders kept going at top speed all the way, and stops were made only to hand the mail sack to the next rider. According to report, "Buffalo Bill," one of the riders, covered three hundred and twenty miles at one consecutive stretch. The completion of overland telegraph service put an end to the Pony Express, and the opening of the Union Pacific Railroad did the same thing for the overland mail.

THE UNION PACIFIC RAILROAD

In 1862, the year of the Homestead Act, Congress passed the first Pacific Railroad Act. This provided for the construction of the line by a number of separate companies, some of which, like the Central Pacific in California, were already organized. The companies were given a right of way for the road, four hundred feet wide, with permission to take construction material anywhere from the public domain. Also they were to receive ten sections of public land for every mile of track built. Furthermore, the United States Government agreed to lend money to the companies at the rate of $16,000 per mile through level country, $32,000 through the foothills, and $48,000 through the mountains. If not completed by 1876, all rights, and all the work already completed, would be forfeited to the government. If the road should be finished, the loans were to be repaid out of the earnings.

The Central Pacific, under the driving power of Leland Stanford and C. P. Huntington, went to work at once; the Union Pacific, in the Nebraska region, did nothing for two years. In 1864, Congress doubled the land grant, and permitted the roads to sell first mortgage bonds to the public. By 1865 the Union Pacific had built forty miles, the Central, one hundred thirty-six. The total distance was nearly eighteen hundred miles. The construction gangs labored under the heaviest difficulties, working through desert or mountain country,

always in danger of an Indian attack. All the iron had to be brought from the East, at heavy expense, and, while the road was being built through the Platte valley, all the lumber as well.

By 1866 construction was well started, and in the last year of the work the gangs were laying track sometimes at the rate of seven or eight miles a day. The movable construction camps, which followed the line, reproduced all the wildness and lawlessness of the mining towns, with perhaps a few variations of their own. The principal one of these camps, known to the builders as "Hell on Wheels," had twenty-three saloons and five dance halls; as for the population, Bowles of the *Springfield Republican*, declared that "Hell would appear to have been raked to furnish them."

As the two lines, the Central Pacific and the Union Pacific, came near to each other, Congress named Promontory Point, near Ogden, Utah, as the meeting place. On May 10, 1869, the last spike was driven, and the road was done, thus completing the biggest engineering project ever undertaken in the United States up to that time.

In 1864 another transcontinental line, the Northern Pacific, was started, and after some difficulties in connection with the Panic of 1873, it was finally completed in 1883. In 1882 the Chicago, Burlington, and Quincy reached Denver, and later the Atchison, Topeka, and Santa Fe, and also the Southern Pacific, furnished additional lines for through service.

AGRICULTURE IN THE SOUTH

While the West was rapidly growing out of frontier conditions, the South was recovering from the destruction of the war and the misfortunes of reconstruction, and in doing so the section built up a prosperous industrial life of its own. In the reconstruction of agriculture there was a noticeable tendency to break up the large plantations into small farms, some of which were run by their owners, more by tenants. In bringing these farms under cultivation, farmers in all parts of the South resorted to a practice known as the crop mortgage system. The farmer would borrow money, usually from the local country merchant, to secure tools and fertilizer, and perhaps to pay for a little extra labor. As security for the loan he would give a mortgage on the crop. During the season the merchant would advance what supplies might be needed, and at the end of the season they would strike a balance. In many cases the merchant took no

interest, but he charged higher prices for goods advanced on credit, so that the farmer really paid enough to amount to forty per cent, or even more. In some sections nine tenths of the farmers were tied up in this system. If the crop raised brought in less than the amount of the loan, the balance would be carried on the merchant's books until the next year. If the debtor farmer tried to open an account elsewhere, in order to mortgage his next crop, he would find that impossible, because no other merchant would lend to him until he could show a clear record. The system still persists in parts of the South. During the last war, when the price of cotton rose to unprecedented heights, the farmers might have escaped, but instead of clearing up their indebtedness and getting a fresh start they preferred to buy automobiles. So it happened that the period of deflation found them as badly off as ever.

In the beginning the crop mortgage arrangement was good, or at least better than nothing, because it made farming possible. As it continues, year after year, it has become a heavy burden, almost a drag on the section. Moreover, it has tended to bring about a too complete specialization. The mortgagor naturally wants a dependable crop for security, something for which there will be a good market, something which cannot be secretly sold, or concealed by the farmer. The two favorite crops have been cotton and tobacco. In many cases where a farmer could do better on some other crop, he continues to raise cotton year after year, because he can mortgage that more easily than anything else.

INDUSTRY IN THE SOUTH

In manufacturing, southern progress has been more clearly visible than that in agriculture. The discovery of coal and iron in large quantities in Alabama and elsewhere has made possible the development of a flourishing steel industry, with Birmingham, "the Pittsburgh of the South," as the center.

In addition the business of tobacco manufacturing has grown steadily in importance. Missouri, Kentucky, Virginia, and North Carolina all have great tobacco factories. Thanks to the persistence of modern advertising, Durham and Winston-Salem are the best known places in the South, or if they are not their products are. Bull Durham, Prince Albert, and Camels might almost be called the symbols of national greatness.

The greatest southern industry is cotton manufacturing. Even before the Civil War there were traces of progress in this direction, but in 1860 there were few mills in all the southern states, and these were small. As compared with the output of the New England mills their product was negligible. After 1870 the South began to build cotton factories, and at the present time there are more in that section than in the North. The southern mills now consume more raw cotton, and there are more spindles actually working there than in the North. In fact, at the present time the great cotton manufacturing syndicates are not only buying up plants in the South but are building new ones, and transferring business from New England to the new centers. In years past the southern mills specialized on the coarser grades of yarn and fabric, but some of their mills have turned out finer grades of the very highest quality.

For a number of years the southern mills enjoyed certain distinct advantages over their northern competitors. They were much nearer the source of their raw material for one thing, and with the discovery of coal at various points in the South they were sure of relatively cheap fuel. Then the land for buildings, both for the manufacturing plants and for tenements, was cheaper than elsewhere. On the whole taxes were lower, and wages were decidedly lower. In the South of the '80's, as in New England of the early '20's, the cotton mills opened up to the farmers an entirely new source of income. Farmers' sons and especially farmers' daughters found a chance to earn money, and the wages were higher than any they had known before. In North Carolina especially, where the mountain white people were drawn upon, there was an abundant supply of cheap labor. Under these conditions there were few if any labor troubles. The employees were too well satisfied with their wages to think of causing trouble, and professional agitators or organizers from the North were kept out. Even to-day industrial troubles in Southern cotton mills, as compared with the New England centers at Lawrence, Fall River, and New Bedford, have been almost nonexistent.

Another important southern industry is that which utilizes the by-products of cotton, the seed in particular. Formerly thrown away, the cotton-seed is now made to produce oil for salads, oil for cooking, and oil for soap, while cotton-seed meal is used as cattle feed, and what is left, for fertilizer.

As a result of the industrial development in the South the section is not set off so sharply from the rest of the country as it was before the Civil War. Or, to put it another way, the forces working toward nationalism and centralization have penetrated the South almost as completely as they have the other sections. Back in the thirties of the nineteenth century industrialism drove the old-fashioned states' rights theories out of New England; the same force, plus the overwhelming power of the central government, has now driven them out of the South. By 1890, with the practical completion of the processes of filling up the West, and of bringing the South into harmony with the course of national development, the work of nation building was nearly complete.

CHAPTER L

TRANSPORTATION, 1865–1890

While the West and the South were concerned with their problems of growth and development, the industrial structure of the East was undergoing changes so far-reaching as to justify the use of the term "economic revolution." This revolution was taking place in transportation, in business, and in labor, with the result that by 1890, a new nation had clearly come into being, a nation of "big business."

The rise of this new nation was made possible primarily by the railroads. Without them the different parts of the country might have been held together, although that is not at all certain, but the Union as we knew it could not have been created. The great business structure especially would have been an utter impossibility without railroads, or some equally fast and dependable means of transportation. The "trusts" could not have grown up without a nation-wide market. Without cheap and fast transportation the range of commercial interests would have remained as they were at the close of the eighteenth century.

For thirty years before the Civil War the country had been experimenting with railroad transportation and before 1860 connections, but not through service, had been established between tidewater and the Mississippi Valley. The various lines were short, owned by a variety of companies, and not at all well articulated. The defects in this disjointed arrangement were clearly emphasized by the needs of war. Through service became a military necessity, to facilitate troop movements. After the war the desirability of through service for commercial purposes was too plain to be disregarded.

IMPROVED TRANSPORTATION

Between 1865 and 1875 the trunk lines were developed. Separate lines were linked together, and through service was established. By 1875 there were five of these trunk lines between the Atlantic Coast and the Middle West: the New York Central, the Pennsylvania, the Baltimore and Ohio, the Grand Trunk,—a Canadian line—and the

Erie. During this same time construction was standardized. For example, during the Civil War there were no less than eight different gauges in use, so that the rolling stock of one road could not be used on another. The Erie for example used a gauge of six feet. Shortly after 1865 the present standard gauge of four feet eight and one half inches was adopted. The demand for through service made it necessary to build bridges where there had been none before. There was no railroad bridge across the Hudson River at Albany until after the Civil War. Passengers had been ferried across in summer, and driven across in sleighs in winter.

Numerous improvements were introduced, to make travel not only more comfortable, but safer. Dining cars and Pullman sleeping cars came into general use. Better heating and lighting systems were installed. In 1868 the air-brake was invented, and its use became general. The automatic block-signal system was introduced soon after. By 1875 the railroads, and the trains upon them, had undergone a great change. The locomotives were larger and heavier, and steel rails took the place of iron. Down to 1866 there was not a double track line in the country. Then Cornelius Vanderbilt laid two tracks from New York to Albany, and four from Albany to Buffalo.

COMMODORE VANDERBILT

The transition from the old railroad to the new, from old methods to modern, as well as the general policy of the new railroad executives, was all typified in the career of Cornelius Vanderbilt, "the Commodore," builder of the New York Central system. In 1865, at the age of seventy, Vanderbilt sold out his fleet of steamboats, and began to invest his money in railroads. At this time he had a fortune of about ten million dollars. When he died in 1877, he left about a hundred and four millions, the product of his railroad business.

The Commodore was a brilliant example of the "captain of industry" type. Big, fine looking, abounding in energy, possessed of a mind and an imagination which enabled him to see the possibilities in railroading, a self-made man in all respects, he was one of the greatest figures of his age. Of course he had peculiarities. He was excessively superstitious, and he generally sought the advice of mediums before making investments. At one time he tried to get in touch with the ghost of "Jim" Fisk, to ask his advice about a certain speculative venture which he was considering. He was also extraordi-

narily vain. He had his picture engraved on some of his railroad bonds, and his statue erected near one of his important stations. But these were minor matters in a man who could do big things.

He was also typical of the business man of his time in his attitude toward the law. In connection with one of his promotion schemes, one of his associates told him that every one of his recent transactions was forbidden by New York law. "My God, John," he replied, "you don't suppose you can run a railroad in accordance with the statutes of New York, do you?" And again he exclaimed: "Law! What do I care about law? Hain't I got the power?" This same Commodore Vanderbilt is supposed to have coined the pregnant phrase: "The public be damned." Whether he ever said it or not, he consistently acted upon that principle. He lived in a time of selfishness, corruption, and extraordinary disregard of private rights, and of contempt for law. And yet, it was a period of tremendous achievement, much of which has been of permanent value.

THE NEW YORK CENTRAL

The lasting monument to his fame is his railroad. He made a fortune by manipulating railroad stock, and some of this he used to make the New York Central. In 1869, when the New York Central and Hudson River Railroad was incorporated, it included eight hundred and fifty miles of track. By 1885 William Vanderbilt had secured the Lake Shore and Michigan Southern, and the Michigan Central, thereby getting into Chicago. Then he got the Canada Southern, and in the same year, 1885, he got the West Shore, a competing line from New York to Albany running parallel to his own. Soon afterward he secured the "Big Four"—Cleveland, Cincinnati, Chicago and St. Louis. Other lines, including the Boston and Albany, he or his successors picked up later.

If this story of genuine achievement constituted the whole history of railroading after the Civil War, the railroad problem and the demand for federal regulation would never have arisen. But the constructive work was accompanied by a continuous performance in some of the most astounding stock-jobbing spectacles of all time. In these the ethics of the Tweed Ring predominated. Perhaps the plundering operations connected with the Erie were the most glaring and the most famous, but even the managers of the Erie occasionally learned a lesson from Commodore Vanderbilt.

THE ERIE

The Erie was the first long line actually planned and built as a unit. It connected the Hudson river with Lake Erie, over a line 470 miles in length. By 1868 the road had 773 miles of track. Opened in 1851, by 1859 it was in the hands of a receiver. It recovered from its early financial troubles, and in 1865 its revenues were supposed to be sixteen and a half million dollars. After the Civil War the Erie had the misfortune to fall into the hands of one Daniel Drew, the treasurer of the Erie Corporation. Like Vanderbilt, Drew was a self-made man, like him he could grasp the possibilities in the new railroading. Drew had a really uncanny ability in juggling stock, and this was tied up with an abysmal want of anything remotely savoring of honesty. In his case, as in the case of some other speculators, there was not even the proverbial honor among thieves.

Drew's specialty was playing the "bear" side of the market, that is, short selling. In 1866 the Erie needed money. Drew was ready to advance it to the road of which he was treasurer, for a consideration. For a cash loan of $3,500,000, he took as security 28,000 shares of unissued stock which happened to be in the treasury, along with $3,000,000 in bonds; the total value of this was $5,660,000. Then, while Erie stock was selling at 95, he began to sell short, at the current price. The "bulls" began to buy, and Erie advanced to par. The rumor spread that "Daddy Drew" was cornered, that he would have to pay 100 or more for stock which he had agreed to sell at 95.

But Drew knew more about the possibilities of the market than his friends. Converting his $3,000,000 worth of bonds into stock, and adding to this the unissued stock which he held, he dumped the whole thing on the market. Erie dropped to 50. Drew then bought enough stock at 50 to fill his contracts at 95, thereby clearing $45 on every share.

Perhaps a more important example of Drew's financiering was exhibited in his contest with Vanderbilt. In the fall of 1867, the Commodore set out to acquire the Erie. As a preliminary step he submitted the following proposal: The Erie and the New York Central were to be united, and the earnings of the New York City traffic were to be divided between the two companies; the Central was to have two thirds, the Erie one third. As the Erie was then getting

over one half of that traffic, its managers refused to accept Vanderbilt's offer.

Vanderbilt then tried to buy up enough Erie stock to control the road. But the volume of stock was immense, and it was all subject to immediate sale. Moreover, Drew was prepared to manufacture Erie stock as fast as Vanderbilt bought it. Vanderbilt turned to the New York courts, to get an injunction, prohibiting Drew from selling any more Erie stock, until his transaction of the year before could be investigated. This he secured. Drew was forbidden to issue any more stock, and was ordered to return to the road's treasury the 68,000 shares involved in his recent venture.

Drew, however, again began to sell short, in the face of a rising market. Then he applied to the New York courts for an injunction on his own account, to nullify the one Vanderbilt had already obtained. He was able to get this, because of the peculiar organization in the New York judicial system. Then he prepared quietly to let the market have about 100,000 shares of new Erie stock. Vanderbilt kept buying, until the news of Drew's maneuver came to light. When it did, Erie dropped to 71, and Drew again cleaned up a fortune. Vanderbilt had bought about a hundred thousand shares of Erie, Drew had nearly seven million dollars of Vanderbilt's money, and Vanderbilt was no nearer the control of the road than ever.

At that point the judge who had issued the first injunction began proceedings for contempt of court, so the Erie directors prudently crossed the river to Jersey City, carrying their papers and securities with them. One of their number carried bales of greenbacks to the amount of six million dollars. When Vanderbilt began judicial proceedings to reach Drew in New Jersey, the Erie directors got a bill through the New Jersey legislature, in the short interval of *two hours* making the Erie a New Jersey corporation. Next it tried to put a bill through the New York legislature, to legalize all their previous proceedings. Vanderbilt was determined to defeat this scheme. Both men had money, and both spent it freely. Legislators made it plain that they were prepared to sell out to the highest bidder. After the competition became too keen, Vanderbilt retired from the race, and the Erie bill passed. But the members were so enraged at Vanderbilt for dropping out and so spoiling their market, that they passed two more bills, solely for the purpose of embarrassing him.

In July, 1867, Drew and Vanderbilt made peace. The Erie relieved

Vanderbilt of 50,000 of his shares of the road, paid him a million dollars in cash, and gave him two seats on the Erie directorate. Drew then retired from the active management of the road, giving way to the two more famous plunderers, Gould and Fisk. They continued his methods, issuing in less than four months in 1868 over $23,500,000 worth of stock.

RAILROAD PRACTICES

Built to provide transportation, the railroads were being used as instruments for financial juggling on an unprecedented scale. The directors misused their positions to squander property entrusted to them. Their aim was to enrich themselves, no matter what the method was. The dealings in Erie throw a vivid light on American political conditions of the period, with their unscrupulous financiers, corrupt judges, and venal legislators.

In a series of lively essays entitled *Chapters of Erie* Charles Francis and Henry Adams supplied the reading public with startling information and discouraging conclusions. "The stock exchange revealed itself as a haunt of gamblers and a den of thieves; the officers of our great corporations appeared as the secret chambers in which trustees plotted the spoilation of their wards; the law became a ready engine for the furtherance of wrong, and the ermine of the judge did not conceal the eagerness of the partisan; the halls of legislation were transformed into a mart in which the price of votes was haggled over, and laws, made to order, were bought and sold; while under all, and through all, the voice of public opinion was silent or was disregarded."

The five years immediately after the Civil War "have witnessed some of the most remarkable examples of organized lawlessness, under the forms of law, which mankind has yet had an opportunity to study. If individuals have, as a rule, quietly pursued their peaceful vocations, the same cannot be said of certain single men at the head of vast combinations of private wealth. This has been peculiarly the case as regards those controlling the rapidly developed railroad interests. These modern potentates have declared war, negotiated peace, reduced courts, legislatures and sovereign states to an unqualified obedience to their will, disturbed trade, agitated the currency, imposed taxes, and, boldly setting both law and public opinion at defiance have freely exercised many other attributes of sovereignty. . . Single men have controlled hundreds of miles of

railway, thousands of men, tens of millions of revenue, and hundreds of millions of capital. The strength implied in all this they wielded in practical independence of the control both of governments and of individuals. . . Thus by degrees almost the whole of the system of internal communication through the northern half of the United States has practically been partitioned out among a few individuals."

With legislatures and courts so easily upset by an unprincipled financier like Daniel Drew, the ordinary shippers had little chance. They were at the mercy of the roads, both in quality of service rendered and in the costs. The published rates had little relation to the charges; they were put out to edify the unsophisticated. If there was any guiding principle in determining how much any particular person should pay for freight transportation, that principle was the very simple one: charge all that the traffic will bear. Roads charged less for long hauls, where they were subject to competition, than they did for short hauls, where they could do as they pleased. Deviations from published rates were so common that they were taken for granted. Sometimes these were in the form of peculiar privileges granted to favored patrons. Perhaps the best example of this sort of thing was the agreement made in 1872 by the South Improvement Company—a forerunner of the Standard Oil Company—with the New York Central, the Erie, and the Pennsylvania. The Company was in a position to deliver to any one of these roads a large share of all the oil shipped, so it could name its own terms. According to this arrangement The South Improvement Company received a rebate on all its shipments; competing companies paid the full charge, and got no rebate. But the difference between what they paid, and what the South Improvement Company paid was turned over by the roads to the South Improvement Company. Practically the South Improvement Company got a commission on every barrel of oil shipped by its competitors.

The consolidation of the short lines had eliminated nearly all of the small scale competition, but the rivalry between the trunk lines became far keener and more intense than that of the little roads had ever been. In carrying on their schemes of cut-throat competition the roads often carried freight at considerably less than cost. At one time roads carrying cattle between the Missouri River section and Chicago cut their rates to eighty-one cents a carload! Some of the eastern roads were caught in the cattle carrying rate war. Gould of

the Erie and Vanderbilt of the New York Central cut under each other repeatedly, until both roads were losing heavily on every carload shipped. Finally the New York Central freight men reported that the traffic was increasing so heavily that they could not handle the cattle turned over to them for shipment. The next report showed that cattle had stopped coming over the Erie. On investigation Vanderbilt found that Jay Gould was out west, buying up cattle, and shipping them over his opponent's road, at rates ruinous to it!

In order to put a stop to this waste, competing roads began to form "pools," by which they divided the traffic on a percentage basis, and distributed the profits or apportioned the losses on the same basis. In 1877 the roads between New York and Chicago ended their competition in the following manner: the New York Central and the Erie each received thirty-three per cent of the business, the Pennsylvania twenty-five, and the Baltimore and Ohio nine per cent. Once this was done, the ordinary shipper was worse off than ever. With no effective system of regulation, and no limit to what they might charge, the roads could reimburse themselves for losses incurred during the days of unrestrained competition. It remained to be seen whether or not a democracy could regulate these great organizations.

CHAPTER LI

"BIG BUSINESS"

In spite of the financial excesses of their managers, the railroads were laying the foundations of a new economic structure in the United States. For all practical purposes, the country was made smaller in size, and the different parts were really brought into touch with each other. By this means every section was freed from dependence upon merely local sources of supply, both of food, and of manufactures, and as the nationwide market was gradually opened, business men were ready to supply it. The development of this new business organization is one of the most extraordinary stories of the nineteenth century, a story of an unprecedented utilization of natural resources, and of concentration and consolidation similar to that going on among the railroads.

BUSINESS BEFORE 1861

Even a cursory survey of the facilities available for business purposes in 1865 brings out the extent of the change. At the close of the Civil War not one of the transcontinental railroads was approaching completion; in fact only one was even started. The eastern trunk lines had not been created. The telephone, the trans-Atlantic cable, the radio, the electric light, the electric trolley car, the hydroelectric plant, the automobile, and the "skyscraper" were all unknown. Most of the cities were without adequate sewerage systems, without pavements. The great natural resources of copper, coal, and even iron, had hardly been touched, while the possibilities of petroleum were just beginning to appear. Modern industrialism was made possible by the railroads, but it is founded on two elements: petroleum and iron. Down to 1869, the United States had mined only about 50,000,000 tons of iron ore. Between 1869 and 1910 it mined 685,000,000 tons.

In 1865 the United States was still a nation of farmers, artisans, and independent, small-scale business men. Over eighty per cent of the total population lived in rural districts, farms, or small villages.

In 1890 thirty per cent lived in cities, in 1900 forty per cent, in 1910 forty-six per cent, in 1920 about fifty-one per cent. And, even as late as 1890, there were only six cities with over half a million inhabitants apiece, only twenty-eight with over one hundred thousand apiece. There were fifty of these in 1910. It was moreover a nation in which wealth was distributed less unevenly than at present. In 1855 in New York, there were only nineteen men who had fortunes of over a million dollars apiece, and the wealthiest of the lot had only six million dollars. At that time, Cornelius Vanderbilt who left a fortune of $104,000,000, had only $1,500,000. In those days the men of wealth were merchants rather than manufacturers, railroad magnates, or stock market manipulators.

Business enterprises now concentrated in the hands of a few men were then widely scattered. In 1850 there were over fifty separate companies engaged in the telegraph business. The first "trust" was the Western Union Telegraph Company, formed, under pressure of war needs, out of this collection of small competing concerns. In New York City in 1865, when horse-cars furnished transportation, there were thirty separate companies in the business; almost every street had its own independent line. Every city and town had its own slaughter house. As a result the by-products were mostly wasted. In 1865 thousands of independent companies were drilling for oil in Pennsylvania, and there were over two hundred refiners. A few years later over ninety per cent of all this petroleum industry was in the hands of the Standard Oil Company. Throughout the country there were over two hundred companies manufacturing agricultural machinery, seventy-five of which were in New York City. Many of these were later united to form the International Harvester Company. Lively competition prevailed everywhere, and no single firm or corporation seemed likely to get more than its due share of the business.

INDUSTRIAL DEVELOPMENT

During the Civil War the country began the process of transforming itself into a highly complex industrial state. Railroad consolidation had been stimulated by the necessity for moving troops by the hundred thousand. At the same time the demands of war gave a great impetus to the production of scores of commodities needed to make the contest a success. The persistent call for woolen cloth for

uniforms and blankets brought about extensive increases in facilities for production. The absence of labor doubled and trebled the demand for farm machinery, while the abnormal demand for food pointed toward the establishment of the great packing houses.

Nor did the demand stop with the war. The rapid settlement of the West, with its thousands of new farms, meant a larger market and a fairly steady sale for manufactured goods. Also, as the South began to recover, its people had to purchase heavily to make up for goods lost, confiscated, destroyed, or worn out during the war. Because of the steadily increasing production of raw materials, manufacturers found it easy to keep pace with their orders.

During the fifteen years immediately after the Civil War there was a remarkable expansion in textile manufacturing, both cotton and woolen. There was, too, an even more striking increase in the output of iron and steel, as the following figures show.

	Number of Establishments	*Capitalization*	*Value of Product*	*Employees*
1860	402	$ 23,343,000	$ 36,537,000	22,014
1870	808	121,772,000	207,208,700	77,555
1880	1,005	230,971,900	296,557,700	140,978

As the railroads brought the whole country to the very doors of the most enterprising manufacturer, the business became too large for the single individual or for the ordinary partnership to handle. But the corporation proved to be admirably adapted to the new commercial needs. With this type of organization it was possible to secure all the capital necessary for a growing business, together with the concentration of authority in the hands of a small body of directors, or of a single executive.

With the multiplicity of small firms competition was rarely severe enough to make it possible for one particular company to annihilate its rivals. With the advent of the corporation all this was changed. The larger concern, with heavy financial backing, under able officials, was ready and glad to drive its smaller neighbors to the wall. In various branches of industry therefore the old-fashioned small firm began to disappear. This process left the larger corporations to fight it out with each other, and they did so, very much as the railroads were doing, by suicidal competition.

The logical remedy for that impossible situation was the combina-

tion of a number of companies engaged in the same kind of work into the so-called "trust," the counterpart of the trunk lines in railroading. Industrial leaders were slow in resorting to that remedy for too strenuous competition, but once they began the number of "trusts" increased rapidly, especially in the decade after 1890.

	Number of Organizations	*Capitalization*
1860–1869	2	$ 13,000,000
1870–1879	4	135,000,000
1880–1889	18	288,000,000
1890–1899	157	3,150,000,000
1904	318	7,246,000,000

In 1901 the United States Steel Corporation, with a capitalization of $1,100,000,000, was launched, the biggest industrial concern in the United States.

STANDARD OIL

One of the best illustrations of this changing order in American industry, and one of the most striking examples of the "trust" and its methods is to be found in the history of the petroleum business and in the rise of the Standard Oil Company. In western Pennsylvania there is a small tributary of the Allegheny River known as Oil Creek, because the surface of the stream was always covered with oil. Sometimes the neighboring farmers collected it for axle-grease. Then certain more enterprising individuals began to bottle it, and to sell it for medicinal purposes. "Rock Oil" and "Seneca Oil" were widely advertised as remedies for rheumatism. In the same region artesian well water in the salt works often came up polluted with oil. This was thrown away. In 1855 a curious-minded man named Bissell sent some samples for analysis to a chemist in Yale College. He reported that the oil could be easily refined, that the process of refining would yield valuable by-products, and that the finished product would make an excellent illuminant.

Bissell thereupon hired a man to drill for oil, and as the work started the people who watched the proceeding called him crazy. In August 1859 the drill man "struck" oil, and the daily flow averaged about twenty-five barrels. Nothing but the discovery of gold itself in that region would have aroused greater excitement. Fortune hunters flocked into Pennsylvania by the thousand, just as they

had rushed to California ten years earlier. Oil had been discovered in a sparsely populated region, with few towns, no railways, and very poor roads. But towns sprang up overnight, and western Pennsylvania enthusiastically began the production of oil.

By a curious coincidence it so happened that in 1859, the very year of the first sucessful oil well, one John D. Rockefeller, a youth of sixteen, got his first job in a produce commission office in Cleveland, Ohio. At the age of nineteen, the young clerk was ready to start a commission house of his own; by the end of the first year, he had built up a half-million dollar business. Four years later, at the age of twenty-three, he became interested in oil. His commission house had furnished him with capital enough to undertake the work on a large scale. Knowing nothing about oil production himself, he secured the services of an expert, with whose technical skill he could combine his own money and business talent.

Rockefeller in the oil business was like Commodore Vanderbilt in railroading; both men were able to look into the future, and to profit by their almost uncanny knowledge of what was coming. It was plain to the man of vision that "coal-oil" would supersede all other illuminating oil, and that it would soon become indispensable throughout the whole country. Before he was thirty Rockefeller calmly and deliberately planned to control all this business himself. Inside of ten years, he had secured ninety per cent of the petroleum trade.

His first aim was to get the refineries. In 1870 the Standard Oil Company of Ohio was incorporated. There were at the time about twenty-five independent refining companies in Cleveland. By 1872, the Standard controlled twenty-two of them. Two years later the refineries in New York and Philadelphia were brought into the hands of the Standard. Shortly afterward the Standard got thirty refineries in Pittsburgh, and by 1875 all those in Baltimore. One group of refineries, those in western Pennsylvania, twenty-five in number, remained independent. Their owners resisted all of Rockefeller's appeals and threats. Finally a new refining company appeared in the section, widely heralded as the Standard's competitor. One by one it absorbed the independent concerns, and when the work was completed, it appeared that the "competitor" was nothing but a dummy company of the Standard.

With nearly all the refineries in their hands, the Rockefeller interests began to reach out for the wholesale distributing agencies. In

New York there were great storage stations maintained by the New York Central and the Erie Railroads. Rockefeller got these. Then the Standard began to buy up the pipe lines, built to free the oil business from dependence on the railroads. The great pipe line from western Pennsylvania to Baltimore, five hundred miles in length, had been completed less than two years when Rockefeller bought it. His next move was to build factories to make his own barrels, and to build his own distributing stations all over the country.

With the refining, transportation, and wholesale oil business nearly all concentrated in his hands, Rockefeller next made an effort to secure all the retail oil business in the country. His plans for securing control of the final work of distribution were carefully made, and rigorously executed. The whole country was divided into districts, with an agent in charge of each. It was the duty of the agent to sell all the oil that was used in his district. If he succeeded, he was sure of a comfortable place for the rest of his life; if he failed, he was unceremoniously dropped. There was no room in the Standard Oil Company for weaklings or incompetents.

Part of the duty of these district agents was to find out whether any of the few remaining independent companies were doing any business, and if so, how much. The methods used in this oil war are vividly described in Miss Tarbell's *History of the Standard Oil Company*. No less an authority than the Federal Supreme Court found some of the tactics open to adverse criticism. If a country grocer for example ordered a barrel of oil from an independent dealer, an agent of the Standard would call upon the grocer before his shipment arrived. He would try to have the man cancel his order, promising to supply him with oil for the future. If the grocer refused to yield, the Standard drove him out of business by cutting prices so low that he could not follow. If the rival happened to be a big dealer, the Standard would first find out all about his business, how much oil he sold, where he got it, and to whom he sold it. Then a dummy company would appear selling oil at a price far below cost. After the competitor had given up the contest, the dummy company would come out as a branch of the Standard, and put the price up high enough to make up for any loss incurred during the price war.

Theoretically the Standard Oil Company should have been an asset to the country. Its methods were highly efficient, all waste was eliminated, and all by-products were utilized. With every step

in the process of production and distribution controlled by a single company, numerous economies were effected. It seemed to the consumers, however, that these benefited the Standard Oil Company, not the general public. Where there was no competition, the price of oil averaged around thirty per cent higher than in sections where competition prevailed. The Standard could, and did, sell kerosene for as low as four cents a gallon, in South Dakota, in spite of the cost of transportation there, and for three and one-half cents in Michigan. From five to eight cents per gallon was common over much of the competitive area. Where there was no competition, the price ranged from twelve up to thirty-seven and one-half cents. The economies incident to large scale production and sale therefore had little if any effect on the price to the consumer. That was determined by the exigencies of competition, or by what the traffic would bear.

The Standard Oil Company passed through various forms of organization in the course of its development, the most famous of which was the "trust," an arrangement whereby the stock of newly affiliated companies was placed in the hands of a board of trustees, to be held by them for the benefit of the stockholders. In 1899 the company was reorganized as a New Jersey Corporation. In 1911 the United States Supreme Court ordered the dissolution of the company, and, in theory at least, it separated into its constituent parts. But the annual reports of dividends would suggest that the dissolution has had no adverse effect upon the profits of the owners. With reference to dissolutions of this sort the late J. P. Morgan once asked the very pertinent question, "How are you going to unscramble eggs?"

If the users of petroleum products have met with any relief, that has been due, not to the dissolution of the Standard, but to discoveries of petroleum outside of Pennsylvania, on such a scale that competing companies could be organized. Long before 1911 the Standard had ceased to be a monopoly, although users of gasoline found that the price fixed by the competing companies was almost always the price charged by the Standard. The first signs of genuine competition did not appear to the consumer until 1923.

The success of the Standard Oil Company seemed to furnish inspiration to promoters in almost all kinds of business. One famous combination was that which controlled the street cars and in many cases the lighting systems in scores of towns and cities, ranging from Philadelphia, New York, and Pittsburgh to Chicago. This was the Yerkes,

Widener, Elkins, Whitney, and Ryan combination. They secured their franchises from the city governments, and then managed to dominate the governments themselves. The principles guiding Yerkes, one of the leaders in the traction and lighting monopoly, were bluntly set forth in his dictum: "The strap-hanger pays the dividends." Poor cars, wretched service, ill-treated employees were other features of the system.

Many of these large combinations resorted to methods similar to those of Rockefeller in creating his Standard Oil monopoly. Small competing concerns were unceremoniously frozen out, while the public was rendered powerless by the hold which "Big Business" had on the legislatures, and in some cases, on the courts.

In some cities retail stores which were competing with each other would sometimes combine to drive out a new merchant who presumed to encroach upon their field. One of the larger eastern cities furnished an illuminating illustration of this practice some years ago. A young man from a Vermont farm, who may be called Smith, came down to work in one of the large department stores. He was an able salesman, with no little executive ability, and in a short time he was placed in charge of the silk department. After several years he decided to form a partnership with his brother, in a silk business of their own. From the start they met with the bitterest opposition. The older stores would place orders with dealers, on condition that the dealers should sell nothing to "Smith Brothers." Had it not been for the assistance of a liberal-minded manufacturer, who had a regard for fair play, the brothers would have been forced out of business.

The great combinations of capital meant not only fortunes for individuals, but power. These men knew what they wanted, and they were not slow in learning how to get it. If the city government had what they needed, they bought enough aldermen to secure it. If the state legislature had to be controlled, they could easily make the necessary arrangements with the all-powerful "boss," of course for a consideration. He might be above the acceptance of a bribe, but he was not at all opposed to seeing a substantial contribution go into the party treasury. With the political system of the states reduced to a highly centralized system like that controlled by "Tom" Platt, and with millions of dollars available for use in securing nominations and in swinging elections, it is not surprising that the out-

look for democracy was dark. There was enough to compel admiration in the bigness of the work of these "captains of industry"—or "malefactors of great wealth," as one conspicuous reformer described them—and in the smoothness of the political operations which they helped to manage. But there was small hope for the ordinary mortal who possessed neither wealth nor power.

CHAPTER LII

ORGANIZED LABOR

The transition from small scale to large scale industry in the United States happened to be going on while the process of occupying the western lands was being completed. In Europe the rise of industrialism had created an acute labor problem before the middle of the nineteenth century. In the United States the rise of that problem was deferred by the conditions in the West. As long as the free land remained, dissatisfied laborers always had available a way of escape from unfavorable conditions. Even though a factory employee never went west, the opportunity was there, and the very knowledge of it tended to keep him contented. By 1890 this economic safety valve had been practically closed, at the very time when the unscrupulous operations of the great corporations made a means of escape more necessary than ever. So it happened that the industrial centers of the country began to take on the appearance of industrial centers in Europe, and the state of mind of the European worker—generally one of chronic discontent—began to appear occasionally in this country.

THE LABOR PROBLEM

The integration of small industrial units into the great trusts tended to separate the laborer from his employer, and as opportunities for an exchange of views disappeared, ill-will, friction, and often violence resulted. With the industrial leaders setting the example, it is not surprising that laborers should have united, in sheer self-defense. As individuals the employees of a great corporation were helpless; so too were numerous groups of skilled artisans, who depended for employment upon the business men.

In dealing with the problem of labor, investigators always find, among other things, one constant source of uneasiness: insecurity of employment. The laborer's fortune is not in his own hands, and he knows it. No matter how competent and how faithful he may be, there is always hanging over his head the possibility of the loss of his job. His employer's intentions may be of the best; his wages may be

satisfactory; his hours may be reasonable; but if he knows anything about the past, he knows that in time of panic his employer may be forced into bankruptcy, and then his place is gone. Except in abnormal circumstances, like those prevailing in 1923, the average laborer rarely gets enough pay to protect himself against loss of employment. The laborer must have a job, with regular wages. Under the circumstances the ever-present fear of the loss of one, or of a reduction in the other, keeps him on edge. This same factor would go far toward explaining the arbitrary action of organized labor once it gets the whip hand. It uses its strength just as thoughtlessly and just as ruthlessly as some employers do when they get a chance. The possession of power, especially of unfamiliar and unaccustomed power, rarely turns human beings into philanthropists.

Labor unions were nothing new in the United States during this period before 1890. Reference was made in a preceding chapter to their appearance during the thirties. But those early organizations were local. No attempt was made to fuse them into a nation-wide organization, or to bring about an alliance of unions in different sections. After the Civil War, with the trend toward consolidation going on in all directions, efforts were made to create a nation-wide workingmen's society.

THE KNIGHTS OF LABOR

The first comprehensive organization of this sort was "The Noble Order of the Knights of Labor," founded in November 1869, by a Philadelphia tailor named Stephens. His plan was to draw together into a single group all branches of "honorable toil." The privilege of membership was denied to those who were so unfortunate as to be outside that category of "honorable." "No one who either sells or makes a living, or any part of it, by the sale of intoxicating drinks, either as manufacturer, dealer, or agent, or through any member of his family, can be admitted." Neither could any "lawyer, banker, professional gambler, or stock broker."

The Knights of Labor was a secret society at first, with the usual trappings of the ordinary fraternal order: oaths, ritual, and an air of great mystery. All this certainly made an appeal to prospective members, and the members themselves liked it. The man who has never "joined" something, no matter what, has missed one of life's great experiences. But the public was suspicious of a secret

labor organization, and its fears led to vigorous criticism. Partly as a result of this feeling, in 1871 the order abolished its secrecy.

For a number of years the order grew, sometimes rapidly. In 1869 it consisted of eleven tailors, including its first Grand Master, Stephens. By 1883 it numbered fifty-two thousand, by 1886 one hundred seven thousand, and about a million in 1892. The climax in the history of the Knights came in 1886, the year of widespread industrial warfare. There were over five hundred labor disputes that year, with an alarming epidemic of strikes. Some of these were conducted by the Knights; some were undertaken against their express orders. The public is always glad of a scapegoat, so it held the Knights responsible for the whole list of disturbances.

One of the most serious of these contests was the great western railroad strike, with its record of violence extending over two months. The Knights sanctioned and took charge of the strike, thereby making themselves responsible for it. The public blamed the order for the violence, while the strikers themselves blamed it for the loss of the strike. In the same year the street-car men in New York struck, against the advice of the Knights, but the public made no attempt to discriminate. All this hurt the order. While this was going on, the Chicago freight handlers, and the McCormick Harvester employees went on strike. This culminated in the great Haymarket riot in Chicago, with its record of violence, bomb-throwing, and death. It seems clear that the mob had been unduly excited by the inflammatory speeches of some foreign anarchists. When, after indictment and trial, seven of these aliens were found guilty of murder, some of the Knights asked that they be treated with clemency. Terence V. Powderley, Stephens's successor as Grand Master, had influence enough to prevent a resolution of sympathy for the anarchists from being adopted by the Grand Lodge, whereupon the radicals seceded from the organization. This tended still further to weaken the Knights.

THE AMERICAN FEDERATION OF LABOR

Before the Knights of Labor had reached the apex of its power another labor organization, based upon an entirely different principle, had appeared. This was the American Federation of Labor, launched in 1881, by Samuel Gompers, an English Jew, and a naturalized American citizen. With a total of about seventy thousand members

in 1889, it passed the two hundred thousand mark in 1900. By 1922 it had a membership of 3,195,651, including representatives of all elements of organized labor, except the railroad brotherhoods, and some electrical workers.

The Knights of Labor had taken in as members laborers of almost every sort, without reference to particular trades. No attempt was made to differentiate one group of members from another. Once in the organization, the various trades lost their identity. The American Federation on the other hand was founded upon the local trade unions, and upon their state and national organizations, if they had any. In that way each trade or type of labor had its own organization, while all these were tied up in the great central organization. Thus one of the branches of the American Federation is the United Mine Workers. This organization has its local, district, and general unions, all of which have their respective officers, and all are affiliated with the American Federation. Then, too, each state—where there are any members—has its state branch of the Federation, and the large cities have their central labor unions. With this organization, consisting of various units, the interests of each individual member may be duly protected.

The Railroad Brotherhoods, known sometimes as the Big Four, have never joined the American Federation. For years these were made up of highly skilled, conservative men. The conductors were the first to organize, in 1868, and they were followed by the engineers, firemen, and trainmen. The railroad shop crafts, on the other hand, machinists, boiler-makers, and others, joined the American Federation.

Even at the present time organized labor includes only a small proportion of wage earners, and before 1890 the proportion was far smaller. The farm laborers have never organized, nor have the unskilled industrial laborers, perhaps the very ones who are most in need of it.

The aim of the American Federation of Labor was and is to secure for the employee what he wants, and generally to avoid trouble, by means of collective bargaining. That method of settling disputes is generally unobtrusive, so the public rarely finds out how often it is used. But where collective bargaining fails, then the strike is used. The public can observe a strike; not infrequently it feels the effects of the contest. Consequently in the minds of the public there is

sometimes a tendency to look upon the primary purpose of organized labor as the production of strikes. Like so many popular beliefs this one is not well founded; what sanction for it exists is to be found merely in the historical fact that the rise of organized labor was accompanied by a series of spectacular strikes.

The Panic of 1873, with its resulting hard times, was followed by an epidemic of strikes, larger and more serious than anything the country had ever seen. In 1877 the employees on the Baltimore and Ohio railroad struck, by way of protest against the fourth decrease in wages in seven years. The disturbance spread from Baltimore to Pittsburgh, and it spread from the Baltimore and Ohio to practically all the roads in the north between New England and the Mississippi River. Over one hundred thousand men were involved, the militia was called out to subdue the mobs, and before the troubles were over federal troops had to be used to restore order. In 1880 there was another epidemic of strikes; those of 1886 have already been mentioned.

Between 1881 and 1900 forty-one per cent of the strikes were for higher pay, twenty-six per cent for shorter hours. More often than not the strikes failed, and in various cases the strikers lost their jobs. And yet, as so often happens, though the men involved were discredited, in the long run their combined efforts produced results. American labor, at least the organized part of it, has had little reason to complain since 1895.

The integration of railroads, industry and labor created an entirely new situation in the United States. Here were great organizations, all possessed of extraordinary resources, all unrecognized in the constitutions, state and federal, all seriously affecting society as a whole. In their schemes of making money, and in their various contests, they disregarded the rights of each other, and of the general public, and they openly ignored, if they did not defy, the law.

The political system in the United States was the product of an agricultural and mercantile society, while the new problems were industrial. The economic revolution therefore had brought into being a social structure unrelated to the political organism; and yet the new structure touched men's lives more closely, and at many more points, than did the political system. From the time when the facts of this revolution became visible the aim has been to evolve a satisfactory sort of connection between the two entities, political and

economic. For a time it appeared that this might be brought about through the subjection of the political to the industrial organization. "Big Business" reached out to control both state and federal governments. While this method satisfied the business interests, it failed to satisfy those lower down in the industrial scale, and it definitely antagonized those who were outside the industrial organism, such as the farmers. All who were not directly enmeshed in the new economic structure turned to the old familiar agency of the government to protect them from the encroachments of the industrial group. If there is any trend observable in the domestic side of recent American history, it may perhaps be found in this effort to link up, if not to amalgamate, the two organisms. Up to the present time there has been little evidence of success. Industrialism has been inclined to go its own way, regardless of the government, and the government has not infrequently been embarrassed to the point of failure in dealing with industrialism. Regulation of capital has made some progress; regulation of labor is still a theory rather than a fact.

CHAPTER LIII

POLITICAL PRACTICES, 1870–1884

With such fundamental changes going on in American life, it is not surprising that political methods and theories should have been profoundly affected. In principle the American government, local, state, and national, remained what it had been before, but the manner of running it, and the opportunities for "graft" in it, showed some amazing innovations. Just as the railroads, industrial concerns, and labor, were being reorganized, so the politicians were working out more effective arrangements. All the big transportation and industrial combinations wanted favors from the government, and to get these they turned to the leaders of the party machine. Perhaps the most distinctive feature of the new system was the opportunity for intimate coöperation between business and politics.

During this period old cities were growing, and new ones were coming into existence. All, old and new, were putting in new sewerage systems, new paving, new water and lighting systems, new street car transportation systems. The city governments had charge of letting contracts, buying supplies and real estate, and handling city funds generally. Corporations and contractors were always eager to secure city business, and they were not slow to learn that the proper line of approach was through the city "boss." Once an agreement was struck, the contractors got the work, and the politicians their share of certain collateral commissions. The local politicians were always careful to keep national party issues prominent in city elections, so that in their enthusiasm for things Republican or Democratic the voters would forget the last crooked deal between the "boss" and the new street car corporation. The voters generally were either indifferent or ignorant. In the business world the opportunities for making money were so enthralling that countless people neglected their responsibilities in the government, leaving those matters to men who were interested. The recently-arrived immigrants would normally have had little concern in American politics, but these newcomers were rounded up by the politicians, sometimes

naturalized at the rate of one a minute just before election day, and trained to vote with the machine. In the days before the Australian ballot, the ballots were furnished by the political parties, so the managers could tell whether or not a voter did his duty.

TAMMANY HALL

The most famous city machine in American politics is Tammany Hall, in New York City, an organization especially renowned for its political indecencies during the late sixties and early seventies, and again during the eighties. It dates back to 1789, or earlier, and one of its illustrious chiefs in early days was Aaron Burr. But probably even Burr would have blushed at some of the proceedings of one of his successors, William M. Tweed. This ulcer first appeared on the body politic in 1851; a new city council was chosen that year, popularly known as the "Forty Thieves"; Tweed was a member. In 1863, he became chairman of the general committee of Tammany Hall, or in the word which he contributed to American political terminology, the "boss" of the organization. Not long afterward he made his way into the state Senate.

The election of 1868 in New York, both state and national, was generally supposed to be corrupt. The naturalization frauds were more flagrant than usual, and according to some reports the New York City vote was eight per cent in excess of the total voting population. Tammany was successful in electing one of its leaders, Hoffman, as governor. In 1869, the Democrats, under Tammany leadership, got control of the legislature. Tweed thereupon secured the passage of a measure giving New York City a new charter, the chief feature of which was an arrangement whereby Tweed himself was given absolute control of the city's finances. Then the "Tweed Ring" was organized. This consisted of Hall, a lawyer, then serving as mayor, Tweed himself, the street commissioner, "Slippery Dick" Connolly, the city comptroller, "Pete" Sweeny, treasurer of both New York City and County, and Cardozo, a Portuguese Jew, one of the judges. In full command of the city, with ample representation in the state courts, and the state legislature, and with one of their tools in the executive chair, the Ring entered upon one of the most amazing courses of plunder ever recorded in American politics.

The crowning example of their work was the new county court house, designed in 1868, with an estimated cost of two hundred fifty

thousand dollars. Under the government of the Ring it was made to cost nearly fifteen million dollars. One bill, paid before the building was finished, for repairing fixtures, amounted to $1,149,874.50. Forty chairs and three tables cost $179,729, thermometers $7500. One carpenter got $360,747. A plasterer received $2,870,464 for nine months' work. Carpets cost $300,000, and most of those purchased went to furnish the new Metropolitan Hotel, just opened by Tweed's son.

Tweed himself got a liberal share of the money; on a number of contracts he regularly took over twenty per cent of the total amount. Some of the proceeds he used to buy up votes in the legislature; it cost him $600,000 to put through the new city charter, and according to his statement, he paid $40,000 apiece for five senators. The Carpet-baggers in the South were amateurs in comparison with Tweed. Between 1869 and 1871 the bonded debt of New York City rose from $36,293,000 to $97,287,000, and the floating debt went up by $20,000,000 at the same time.

By 1870 the Ring was securely established, and the members were becoming ambitious. Cardozo began to hope for an appointment to the Federal Supreme Court, while Hoffman talked confidently of becoming President of the United States. The outrages were tolerated, partly because, for a time, the extent of the robbery was not realized, partly because the press was pretty well subsidized, partly because the Democratic organization winked at the scandal—Tammany could almost always "deliver" New York—and partly because the great majority of the voters were ignorant, and paid no taxes. Finally the swindles became so notorious that some of the newspapers began to refer to them. The *Sun* suggested the erection of a statue to "the principal Robber Baron" to commemorate "his services to the commonwealth." Tweed declined the honor, and in March 1871, the *Sun* came out with the following headlines:

"A GREAT MAN'S MODESTY"

"The Hon. Wm. M. Tweed declines the Sun's Statue.
Characteristic letter from the great New York philanthropist.
He thinks that virtue should be its own reward."

The overthrow of the Ring resulted from a quarrel down in the ranks of the organization. One of the ward "heelers," O'Brien by name, felt that his services had not been duly rewarded with a proper

job. He got one of his friends in the auditor's office to copy for him a long list of the Court House accounts. O'Brien then attempted to use this information as a means for forcing Sweeny, who distributed the spoils, to give him a better place. Getting no satisfaction, he turned his material over to the *New York Times*. In July, 1871, the *Times* denounced the members of the Ring as thieves and swindlers, and dared them to sue for libel. The response was an offer of five million dollars to Jones, the owner, to keep quiet and go to Europe for a time. Jones refused to be silenced, and in September a citizens' committee of seventy was elected to conduct a sweeping investigation. In the meantime the newspapers were publishing evidence of corruption, ably assisted in their work of arousing public feeling by the cartoons of Thomas Nast, in *Harper's Weekly*. "I don't care for your newspaper articles," said Tweed; "my constituents don't know how to read, but they can't help seeing them damn pictures."

In 1872 Sweeny retired to Canada; Connolly was indicted for fraud, and jumped his bail; he died in exile; Tweed was arrested, and promptly released on bail, fixed at one million dollars. Jay Gould signed the bond.[1] Tweed was tried twice, and finally died in jail, in 1876. For a brief period Tammany kept in the background, but by 1874 it was again in power.

In 1886 Richard Croker, a former prize fighter and saloon-keeper, became "boss" of Tammany Hall. His alleged specialty was licensed vice and crime. Gambling houses, over six hundred of them, according to report, paid him fifteen hundred dollars a month for protection, pool-rooms three hundred per month, houses of ill-fame from twenty-five to fifty dollars per month per inmate. Appointments and promotions in the police force were sold. Patrolmen paid three hundred dollars for their appointments, one captain paid fifteen thousand dollars for his promotion. All candidates for city offices paid from ten to twenty-five thousand dollars for their nominations. "We try to have a pretty effective organization—that's what we are there for," he said. He was able to retire in 1900, and he prudently went to Ireland, although he frequently spent his winters at Palm Beach,

[1] The mention of Jay Gould suggests an intimate relation between the Erie Railroad and the infamous Tweed Ring. Tweed and Sweeny were both directors of the Erie. They were "let in" on the Erie plunder, and they used their power to safeguard Gould and his associates from prosecution.

Florida, up to the time of his death in 1922. He was never punished for anything, and he made a large fortune out of his work.

The success of Tammany has been due to its highly efficient organization, and to its well-planned charitable work. It had, and still has, a General Committee, nine thousand in number, of representatives from each district. The General Committee appoints various subcommittees. The real directing force is the Executive Committee, consisting of the leaders of the assembly districts, plus the Chairman and the Treasurer of the General Committee. Every assembly district has a club-house and headquarters where the members can get together for everything, from politics to poker, and in former days for a drink.

The district leaders look out for the men and the families in their precincts. If a family needs fuel, clothing, provisions, anything in fact, Tammany Hall sees that the need is supplied. Nothing is left undone to keep the voters in line.

STATE "BOSSES"

Above the cities, many of which were like New York in principle, if not in degree, came the states, with their bosses, machines, and corruption. After the Civil War the business interests, in New York for example, found it convenient to maintain paid agents at the state capitol, to get what they wanted in the way of legislation. Later they found it cheaper, easier, and far more effective, to make their arrangements directly with the state bosses. In New York, from 1873, when the Republicans won, "Tom" Platt, the famous "easy boss," named the Speaker and the committees in the assembly, dictated all appointments, and practically controlled all the activities of the legislature. When business men wanted legislation put through or defeated, they saw him. He made a specialty of collecting funds from all the big corporations, especially the insurance companies.

For sixty years Pennsylvania was dominated by a Republican machine even more influential than Platt's in New York, run by the two Camerons, then by Matthew S. Quay, and later by Boies Penrose. In many other states the systems were less notorious perhaps, but equally corrupt. These local organizations supplied the base upon which the national machines were erected.

PARTY ORGANIZATION

One of the outstanding features of the period from 1865 to 1890 was the continued dominance of the Republican Party. During that time there was only one Democratic president, and the Republicans controlled the Senate four fifths of the time. Their long lease of power was due in a measure to the weakness of their opponents, the result of the attitude of many Democratic politicians during the Civil War. But there were plenty of positive elements in Republican strength. It was the party which had won the war and saved the Union, the party of patriotism. This record made a glowing appeal to thousands of voters.

Again the Republican Party had the support of the business interests throughout the country. It had managed the finances of the war, and the banking and financial interests preferred to keep it in power, because a change might hurt credit. During the war the Republicans had raised the tariff rates twice, and by so doing won the lasting gratitude of the industrial interests. For several years the farmers remained loyal, especially in the West, because the Republicans had passed the Homestead Act, and made possible the Union Pacific Road.

In this party, solidly established in both East and West, a new type of leadership prevailed, after the Civil War. The directors of its destinies were not statesmen, but machine politicians, men who were concerned with the distribution of offices and the rounding up of votes rather than with great issues. It was their business to look after the details of organization, and in attending to its needs they frequently lost sight of the chief ends of government. "Tom" Platt, already mentioned, was an excellent example of the type. Another was his colleague in the Senate, Roscoe Conkling, and still another the well-known Benjamin F. Butler of Massachusetts. James G. Blaine was perhaps of a somewhat higher type, but he was first of all a machine politician. Under our system of government every public official must know how to use the jobs in such a way as to maintain his party organization; that is taken for granted. The trouble with the dominant group during the seventies and eighties was that they could never see beyond the machine.

Under Republican management Congress, the party organization, and the affiliated business interests were all closely tied together. In

1866 a Congressional Campaign Committee was organized, consisting of one member from each state. This group coöperated with the National Committee of the party, and so formed the link between Congress and the party organization. In election years it took charge of the election of Congressmen, and so worked intimately with the local machines.

Congress itself was so organized as to keep party lines intact. In the House was the Rules Committee, consisting of the Speaker and two other members. This triumvirate appointed all other committees, and decided what bills should come up for consideration and what should not, thereby determining the destiny of all legislation. A member who attempted to dispute the authority of this committee, or who ventured to defy it, was soon relegated to obscurity. The House of Representatives was no place for rebellious spirits.

In the Senate the so-called "steering committee" performed a similar function. It supervised, directed, and controlled all legislation. By this means the same small group of party leaders controlled the nomination and the election of Congressmen, and then guided them in the processes of legislation. At this time too the Senate was intimately connected with "Big Business." Platt, Conkling, Blaine, in fact all the leading Republican Senators were the legislative agents of the great business enterprises.

The Senate was really the center of the whole party system. Under the Constitution it has to approve all the appointments to federal offices. That power was consistently used, not to promote the welfare of the service, but to further the interests of the political party. Under the practice known as "Senatorial Courtesy" the Senate would regularly refuse to confirm any appointee who did not have the approval of the two Senators from his state. These party chiefs even went so far as to insist that the President must work with them in distributing the offices. So important did this work become that the greater part of the President's time was taken in making appointments. In 1877 James A. Garfield wrote: "One third of the working hours of the Senators and Representatives is hardly sufficient to meet the demands made upon them in reference to appointments for office." It began to look as though the national government had only one reason for existence, to promote the interests of the dominant party through proper distribution of the spoils. As "Tom" Platt put it, with reference to Blaine: "What I liked about him was his

frank and persistent contention that the citizen who best loved his party and was loyal to it, was loyal to and best loved his country." Under these circumstances, it is not surprising that some of the most important Customs Houses, notably the one at New York, were riddled with dishonesty, and some of the Post Offices were not much better.

The political philosophy of these spoilsmen, as far as they had any, was based upon the theory that the government existed primarily to benefit their party and them, and at the same time to protect the business interests from any legislative or governmental interference. Platt was seriously disturbed about Theodore Roosevelt, because, as he wrote: "I had heard from a great many sources that you were a little loose on the relations of capital and labor, on trusts and combinations, and indeed on the numerous questions which have recently arisen in politics affecting the security of earnings and the right of a man to run his own business in his own way, with due respect of course to the Ten Commandments and the Penal Code." The point of view expressed here was typical of the whole party.

BUSINESS AND POLITICS

In their efforts to throw ample safeguards around "Big Business," and to protect corporations especially from the state legislatures—they were safe enough from Congressional meddling—the lawyers resorted to one of the provisions of the Fourteenth Amendment. "No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws." In one of the "trust" cases in which he appeared, Roscoe Conkling argued that when the Amendment was framed its makers intended to have it apply to corporations as well as to negroes. If that was true, the makers for some reason forbore to reveal their intentions while ratification was pending. But whatever the views of the framers, the courts took kindly to the idea, and the Amendment was stretched to cover a curious variety of cases, a long way removed from the blacks. Among these are the following specimens: a suit to recover the value of a dog in Louisiana on which no tax had been paid; the right of a preacher to hold meetings on Boston Common; the right of a woman lawyer of the District of

Columbia to practice before the courts of Virginia; a suit in New York to recover damages for the illegal use of the plaintiff's photograph; the sale of cigarettes in Tennessee; the regulation of the height of buildings in Boston; the question whether a convicted murderer in Idaho should be hanged by the sheriff or by the warden; a suit to determine the amount of damages for a dog bite in Michigan. A provision which could be made to cover so wide a variety of issues could easily be used to protect corporations against regulation by state legislatures.

If the business interests of the country were anxious to control the machinery of the Republican Party, and to use it for their own purposes, the organization was equally anxious for the support of "Big Business." Corporations were contributing heavily to the party campaign chests. In fact, in doubtful states, business men made a point of contributing to both parties, in order to be safe no matter which happened to be in power. Naturally under such circumstances the contributors expected a voice in or at least a negative upon party nominations. They had paid good money for protection against embarrassing laws, and they would take no chances with nominees of doubtful friendliness or of known hostility to corporations.

In this combination of business interests and party machine the wishes and the rights of the public were ignored. If reform movements attained dangerous headway, special efforts would be made to keep the legislatures tightly closed to their influence. It is significant that there was no effective civil service reform measure until 1883, no antitrust legislation until 1887, no Federal regulation of railroads until 1890, and no general ballot reform until after 1889 and 1890.

PRESIDENT HAYES

The principles set forth in the preceding summary were frequently exemplified during the administration of President Hayes, and the years which followed. The first important act of the Hayes administration was the withdrawal of the federal troops from the three remaining Carpet-bag states. It was well known that he would do so, and on the strength of that knowledge, rather than upon any bargain the Republican leaders had been able to promise the withdrawal to the Democrats, in return for their acquiescence in the election of Hayes. When the troops came out, the Carpet-bag governments collapsed, and three more states became solidly Democratic. Those

Republicans who had charge of their party's destiny during campaign time considered this an utterly unnecessary surrender of eighteen sure electoral votes. They knew that if Tilden had had those in 1877, he would have become President, with all that that implied in the way of patronage. To the regular politicians, therefore, Hayes appeared as a man bent upon undermining the foundation upon which his party stood.

The new President gave additional cause for complaint on this same score by his attitude toward civil service reform. In 1871 the pressure of public opinion had induced Congress to pass a limited reform measure, authorizing the President to prescribe rules for the conduct of the civil service, and to appoint a commission to assist in the work. Grant appointed the commission, but in 1873 Congress failed to make the necessary appropriation to keep it alive. Under these circumstances nothing could be accomplished. None of the regular politicians wanted civil service reform. How were they going to keep the party functioning if the chief means of support was taken away? The fine scorn of the politicians for all this idealistic fervor was well expressed by Roscoe Conkling: "When Doctor Johnson said that patriotism was the last refuge of a scoundrel, he ignored the enormous possibilities in the word reform."

In 1877 an investigation of the New York Customs House, the center of Conkling's machine, uncovered serious mismanagement, due in large measure to the political operations of leaders in that state. Hayes removed Arthur and Cornell, the two chief officials there, and appointed Merritt and Burt to the posts. All this he did in violation of the principle of "Senatorial Courtesy," and in spite of the determined opposition of Conkling himself. Conkling tried to prevent the Senate from confirming the two appointments, and nearly succeeded. They were not duly confirmed until December, 1878.

In 1877 Hayes issued an executive order to the effect that civil service officials should for the future refrain from taking part in the management of political organizations, caucuses, conventions, and election campaigns, and that no further assessments on such offices would be permitted. This was too much. Hayes might throw away eighteen electoral votes, and he might defy Conkling, but he could not be permitted to abolish the spoils system. Henceforth Republican leaders in Congress looked upon Hayes as an apostate, and treated

him accordingly. While he lost the support of his party because of his ventures in the direction of reform, he lost the reformers because he did not venture fast enough or far enough to suit them. They complained for example when the officials in the Louisiana Carpet-bag régime were duly taken care of by civil service appointments under the Treasury Department.

Because of the repudiation of the President by his party the Hayes administration was not remarkable for its constructive achievements. In 1879 specie payments were resumed, under an act passed in 1875. John Sherman, Secretary of the Treasury, succeeded in accumulating a sufficiently large gold reserve, and on January 1, for the first time since the Civil War, the greenbacks moved back to par.

THE SILVER ISSUE

The only outstanding piece of legislation of the Hayes administration, the Bland-Allison Act, was a nonpartisan measure, put through to appease the western advocates of cheap money. When the list of standard coins, with their respective weights, had been drawn up, the market ratio of silver to gold had been approximately sixteen to one, and that was selected for the mint ratio. But before the Civil War the market ratio changed, so that under it silver was undervalued. Silver was worth more as bullion than in coins, or the lump of silver obtained by melting a dollar was worth more than the coin. Consequently the silver dollar disappeared from circulation. During the war all coin disappeared, but as the market ratio of the two metals remained about fifteen to one, in 1873 Congress dropped the silver dollar from the list of coins. At the time, this demonetization of silver, sometimes called "the crime of 1873," passed almost unnoticed.

But after the war the heavy output of silver from the new western mines reduced the value of the metal. Standing at fifteen to one before 1860, it dropped to about seventeen to one in 1877. At that point the silver interests began to urge the restoration of the silver dollar, at the old ratio of sixteen to one. If this were done, it would be possible to increase the volume of money in circulation, and by undervaluing gold, to drive it out of circulation and to raise prices at the same time. All the western farmer interests which had been clamoring for more greenbacks now demanded the free and unlimited coinage of silver, at the ratio of sixteen to one.

Under the leadership of Richard P. Bland a bill allowing the free coinage of silver, at sixteen to one, passed the House. But the Senate was more conservative, and under Allison's guidance the House bill was changed. The measure that finally passed, the Bland-Allison Act, made it necessary for the Secretary of the Treasury to purchase and to coin not less than two, nor more than four million dollars' worth of silver every month. The law was passed over Hayes's veto in 1878. As a result the government began to buy silver at the market ratio, and to coin it at the mint ratio, making approximately seven cents on each one of its ninety-three cent "dollars."

THE ELECTION OF 1880

As Hayes's term drew to a close it was generally understood that his party had no intention of giving him a second term. With his case disposed of, talk concerning the Republican nominee was as lively as it had been four years earlier. Cameron and Conkling were trying to force the nomination of Grant for a third term, and as a means to this end they attempted to commit the Republican convention to the "unit rule," by which every state delegation would be bound by a majority of its members. The anti-Grant men defeated that, and with it Grant's hope for the nomination. The other leading candidates were James G. Blaine, still laboring under the cloud of his railroad speculations, and John Sherman of Ohio, the hero of the resumption of specie payments.

On the first ballot Grant led with three hundred and four, with Blaine a strong second, and Sherman a weak third. After more than thirty ballots, with the two leaders still running around three hundred apiece, the name of James A. Garfield was suggested. He was acting as lieutenant for John Sherman, and as the leader of the anti-Grant element. On the thirty-sixth ballot there was a genuine stampede to him.

The Republican platform dwelt upon the war record of the party, and assumed credit for Resumption, as well as for the great development of transportation facilities and foreign trade. It charged the Democratic party with "the habitual sacrifice of patriotism and justice to a supreme and insatiable lust of office and patronage," and came out rather haltingly for "thorough, radical and complete" civil service reform.

In 1876 the Democrats had confidently expected to run Tilden

again, and to use as an asset his "eight to seven" martyrdom. But the publication of the cipher dispatches (see page 571) seriously weakened the force of that argument. In their platform, however, they condemned "the great fraud of 1876–77, by which, upon a false count of the electoral votes of two states, the candidate defeated at the polls was declared to be President." Like the Republicans they called for civil service reform. The only innovation was a plank in the Democratic platform calling for a tariff for revenue only.

In the course of the campaign General Winfield Scott Hancock, the Democratic nominee, made the tactical blunder of referring to the tariff as a "local issue." The Republicans ridiculed this and made the protective tariff the basis of their appeals to the voters.

But the more striking aspects of the campaign were the revelations regarding the use of patronage and assessments. The Republican national committee sent out assessment lists to all officials except heads of departments, naming the exact sum, usually five per cent of the salary, which each one was to contribute. The names of those who refused to pay were sent to department heads, so that the recalcitrant officers could be compelled to contribute. Many of these lists were signed by Thomas C. Platt. Every contribution made was in direct violation of Hayes's executive order, if not in violation of the law. And yet men who stood high in the councils of the party kept careful watch of the progress, and used their influence to make sure that no appointee escaped.

Because of the loss of the southern states the Republicans made special efforts to carry the rest of the country, and careful attention was given to every doubtful state. Money was used to an unprecedented extent. In Indiana, one of the key states, reports of corruption were peculiarly unpleasant. After the Republicans had won, Chester A. Arthur, the vice-president elect, gave a dinner at Delmonico's to one Dorsey, secretary of the Republican National Committee, who had been in charge of the Indiana campaign. In paying tribute to Dorsey, Arthur said:

"Indiana was really I suppose a Democratic state. It had been put down on the books always as a State that might be carried by close and perfect organization and a great deal of—[laughter] I see the reporters are present, therefore I will simply say that everybody showed a great deal of interest in the occasion and distributed tracts and political documents all through the State."

Thanks in part to the effective exploitation of the Civil Service, and to methods such as those referred to in Arthur's thinly veiled hints, the Republicans won, getting both the Senate and the House in addition to the presidency. Garfield did not have a majority of the popular votes, and his plurality over Hancock was less than ninety-five hundred. The electoral vote was two hundred fourteen for Garfield, one hundred fifty-five for Hancock.

As leader of the anti-Grant delegations in the convention, Garfield had defied Conkling, the great New York boss. But the narrow Republican majority made party harmony even more desirable than usual, and Garfield at first seemed inclined to give Conkling a voice in the all-important matters of the patronage. Before his inauguration the President-elect wrote to Conkling:

"I would be glad to consult you on several subjects relating to the next administration—and especially in reference to New York interests."

After writing this, for some reason Garfield seems to have abandoned all idea of working with the New York leader. In making up his Cabinet he appointed Blaine Secretary of State. Now Blaine had given mortal offense to Conkling by a surprisingly bitter, sarcastic attack upon him in the Senate, in which he referred contemptuously to his "turkey gobbler strut." At the time Blaine made it clear that in his opinion Conkling's relation to a former Senatorial leader was the relation of a dunghill to a diamond.

THE GARFIELD ADMINISTRATION

As though his appointment of Blaine had not been a sufficiently clear declaration of war upon Conkling, Garfield proceeded to remove Merritt, the collector of the port of New York, and to appoint as his successor one Robertson, Conkling's rival in the Republican machine in New York. The collector had over a thousand subordinates and Conkling had depended upon the Customs House as his chief bulwark. Garfield clearly intended to build up an anti-Conkling organization. No wonder that Conkling saw in this maneuver "the fine Italian hand of Blaine." This final insult to Conkling threatened to split the party. "I am completely disgusted with Garfield's course," wrote Grant, "[He] has shown that he is not possessed of the backbone of an angleworm."

Conkling wrathfully resigned from the Senate, followed by his

colleague, Platt, and appealed to the New York legislature for a vote of confidence and for restoration to the Senate. But the anti-Conkling group happened to have a majority then, so new Senators were chosen. The two resignations were in the nature of a formal protest against Garfield's open defiance of the principle of "Senatorial Courtesy" and they raised again the whole issue of the patronage and civil service reform.

So too did the exposure of the "Star Route Frauds" in the Post Office, under the direction of James, the new Postmaster General. The "Star Routes" were mostly in the West, in regions not served by railroads. Because of the rapidly increasing population in those sections it was impossible to let long term contracts for carrying mail at a fixed compensation. The contracts were therefore let to the lowest bidder, with the understanding that if changed conditions warranted it, the compensation might be increased by the Second Assistant Postmaster General, without calling for new bids. According to custom the contracts were let to contracting firms, which made arrangements with individuals to carry the mail. One such concern included the Secretary of the Republican National Committee, the Dorsey of Indiana fame. His brother, Senator S. W. Dorsey, was also interested. They bid for a number of routes, at rates below the actual cost of carrying the mail at the time. Then, in collusion with Brady, the Second Assistant Postmaster General, they secured heavy increases in their compensation. On nineteen of the routes let to the Dorsey firm, the pay was advanced in two years from $41,135 to $448,670 per year. The estimates of the actual extent of the fraud vary, but they ranged between two and a half and five million dollars. Not all the funds misappropriated in this way went into the pockets of the offenders; instead, under Dorsey's direction, according to reports, they were paid into the treasury of the Republican National Committee. Dorsey's ethical standard may perhaps be understood from his refusal to resign from his post as Secretary after the disclosures were made. Brady tried to put a stop to the investigation by threatening to reveal Garfield's connection with, and approval of the frauds.

While all these things were going on Garfield was shot by a disappointed office-seeker, a member of the "Stalwart" or Conkling faction in New York. For a time there was hope of his recovery, but that proved to be ill-founded. His successor was Chester A. Arthur,

the polished gentleman of New York politics. Arthur had been one of the head spoilsmen of New York, an intimate associate of Conkling, and as such he was the despair of the reformers. But he took his responsibilities as President most seriously, and made a surprisingly good record.

CIVIL SERVICE REFORM

There was comparatively little legislation passed during Arthur's administration, although one measure, the Pendleton Civil Service Reform Act, was more than usually important. The tariff, one of the issues in the campaign, continued to attract attention. In 1882 Congress authorized the appointment of a Tariff Commission, to make a scientific study of the whole problem. It was needed. The duties were still maintained at the abnormally high Civil War level, and because of the heavy imports, they were creating an embarrassing surplus in the treasury. The money could not be allowed to remain unused in the government vaults, and the only way to get it out was by increasing federal expenditures. Congressmen began to use the surplus for payments on account of Civil War pensions—a subject to be discussed later—and river and harbor, or "pork barrel" bills. These last acts were designed, sometimes to improve port facilities, sometimes merely to transform creeks and rivulets into navigable streams. Some of the projects were eminently desirable; others were charity. It was the duty of every Congressman to secure the appropriation of as much federal money as possible for his own district; not infrequently his length of service depended upon his success in the work. In 1870 the annual river and harbor bill had called for only $3,900,000, in 1880 for $8,900,000. In 1882 it called for over $18,700,000, and President Arthur vetoed it. The President expressed regret that in vetoing it, because of its inclusion of projects of purely local interest, he was compelled to defeat measures which would have benefited the whole country.

With this aspect of the tariff to serve as a background in 1883 Congress began the consideration of a tariff measure. After a good deal of difficulty a bill was eventually passed. So far as reform went, it was an ineffective act, leaving the general level of rates virtually unchanged. A few were lowered, but some were raised. Not very much in the way of tariff reform could be expected from the party advocating high protection. The discussion, however, served to focus the attention of the public upon the tariff, and the Democrats began

to lean toward lower rates. For the next few years this highly technical subject became an issue in party politics.

Although no man in the country had been more closely affiliated with the disreputable side of party politics than Arthur, as President he became an advocate of Civil Service reform. In 1883 Congress put through the Pendleton Act, for the purpose of separating the offices from politics. The measure prohibited the assessment of federal employees, and provided for the establishment of a Civil Service Commission of three members. This Commission was authorized to conduct examinations for testing the fitness of those wanting positions in the Civil Service, to keep records of the grades made, and to submit to the president lists of candidates, in the order of their standing. The Pendleton Act did not place any of the offices under the Civil Service Rules; the decision as to which offices should go under the merit system and which should not was left to the discretion of the president.

Arthur made a somewhat tentative start with the law, placing under the Rules fourteen thousand positions, out of a total of one hundred ten thousand, about twelve and one-half per cent. Succeeding presidents made additions to the list, usually a short time before their terms expired. By 1915 over sixty per cent of the offices were filled by means of the merit system, and were therefore beyond the reach of partisan machinery. The best places still remain as political "plums," but the reform has eliminated a vast amount of corruption and inefficiency.

No matter how good the intentions of a government, the question of the Civil Service always presents a dilemma. If the appointments are for short terms, and made by a political official, the offices will inevitably be used to promote political ends. On the other hand, the merit system alone, with its corollaries of long terms, and continuous service, points toward a bureaucracy, in which the aim of the employees is to perpetuate their vested interests.

CHAPTER LIV

THE GRANGER MOVEMENT

While the country was observing the scramble for offices and the close coöperation between politics and "Big Business," there was a lively reform movement going on among the farmers in the West. The integration of industry and the organization of labor seemed to put the farmer at an extreme disadvantage. Everything which he had to buy, including both transportation and supplies, was controlled by combinations of great wealth and power. At the same time, the government, the only public agent in which he had any voice, was in close league with the railroads and the "trusts." During the seventies and the eighties the position of the farmer was rendered peculiarly difficult because of the rapid changes going on in the West. As the frontier disappeared much of the older freedom, in the sense of economic independence, went along with it. The farmer was no longer dependent upon his own energy and resources alone. He was caught in the rapidly growing country, which seemed to be controlled by forces far beyond his reach. He was likewise, after the Panic of 1873, caught in a chain of constantly falling prices. Under these circumstances agrarian discontent became one of the outstanding features of the period, along with "Big Business," great labor unions, and corrupt politics. Under these conditions, the farmers organized too, to protect themselves, and to make their power felt in public affairs.

THE GRANGE

The first of the great agrarian movements centered in the Grange, or officially, "The Patrons of Husbandry." This order was launched in 1867 under the enthusiastic leadership of Oliver Hudson Kelley. Kelley had been born in Boston and had followed the example of numerous New Englanders by going West. After a little experience in Minnesota, he secured a federal position in connection with the Bureau of Agriculture in Washington, D. C. His duties required him to travel extensively among the farmers, especially in the South and West, and on these trips he was deeply impressed with the state of

mind prevailing in the rural districts. To him the farmers seemed most unprogressive, uninfluenced, except to their detriment, by the great forces of change then at work in the United States. Not only were their methods antiquated, but their whole life was out of harmony with the rest of the country.

Kelley came to the conclusion that the troubles of the farmers were due largely to their semi-isolation in their farms. Ground down by excessive labor, and living a monotonous existence, they seemed to him to be half unconscious. Being a true son of New England, Kelley determined to improve their condition. If the farmers could be given opportunities for social intercourse, he reasoned, their intellectual faculties might be stimulated and quickened. Then they could solve their own problems. His remedy was a nation-wide, secret, fraternal order of farmers, something like the great Masonic fraternity of which he was a member.

Kelley differed from some of the more famous reformers from his section in having a genuinely constructive plan. He talked over his project with his friends, and made them his converts. On December 4, 1867, the Patrons of Husbandry was formally brought into being. The founders were Kelley himself, five other government clerks, and one fruit grower, and the first local Grange included them and their wives, for women were admitted to the order on equal terms with men. The founder drew up the ritual for the society, and formulated its plans and aims. At first the Grange was non-political. Its meetings were designed to give the farmers and their families a chance to get acquainted, and to arouse their interests in improved methods. Consequently, in addition to the ritual for the meetings, provision was made for a variety of other matters. Every Grange had a "Lecturer," whose duty it was to arrange the programs. These included talks on farming, addresses by authorities on the subject, with opportunity for discussion.

At first the order grew very slowly, far too slowly to suit the exuberant Kelley. The first Grange tried out the ritual in Washington, D. C., but that collection of government clerks was lacking somewhat in true agrarian flavor. Farmers had been growing suspicious of Washington, and they wondered how a society organized there could be of value to them. In 1868, Kelley resigned his office, to devote all of his time to promoting the Grange. Still the farmers obdurately refused to join. The national officers were supposed to get salaries from the

fees paid in by the new local Granges, but this source hardly furnished enough for a decent living. And yet, in spite of accumulating small debts Kelley assiduously advertised the great national order, circulated photographs of the founders, and tried his best to create enthusiasm. So far as his limited resources would permit he bought advertising space in local papers and agricultural journals.

When the appeal to social and intellectual interests failed, the founders began to exploit the practical advantages which the Grange might offer, such as protection against the corporations, opportunities for coöperative buying and selling, and the like. This was something the farmer could understand. By 1869 Kelley had thirty-seven local chapters or Granges in Minnesota, and by 1870 the order had spread over nine states, as far apart as Vermont, South Carolina, and the Middle West. The foundations were securely laid before the Panic of 1873. When that came, the farmers rushed into the Grange in large numbers.

RURAL DISCONTENT

Even before the Panic the farmers were becoming interested in certain economic reforms, reduction of taxes, control of corporations, regulation of railroads, and increase in the volume of money. After the panic these ends which had seemed desirable became indispensable. The Homestead Act and the Union Pacific Railroad stimulated settlement, and brought about a great increase in production. But the country as a whole was not able to absorb all the increase, so prices were steadily falling. Farmers all over the country found it hard to make a living. In the South, the crop mortgage system seemed to be an unsurmountable difficulty. In the West, most of the new farms were heavily mortgaged, and prices were so low that the farmer met his interest payments with difficulty, if at all. Interest rates were high, and prices for manufactured goods were higher, a condition due in part, if not entirely, to the protective tariff.

In earlier years when difficulties of this sort arose the discontented farmers went farther west, and began over again; in the seventies that was still possible, but it was becoming steadily more difficult. The best land was already taken, and the old means of escape was being closed. None too well off before the panic, the farmers were nearly hopeless after it had come. Profits had disappeared; the farmer was lucky who could keep from going more deeply into debt.

At the same time the holders of farm mortgages were even more insistent than usual upon interest payments, and when mortgages fell due, it was impossible to renew them. Hundreds of farmers saw everything they had, the results perhaps of years of hard work, taken away in foreclosure sales.

In looking about for the causes of all their troubles, the farmers accused the railroads and the corporations, along with the corrupt politicians. When the railroads first came the farmers generally looked upon them most favorably. They made good farm land accessible, and opened up more profitable markets. But at the same time they got the farmer out of his former self-sufficing condition, a good thing in good times, but not so good in others. Farmers who bought railroad securities lost their whole investment, because of the unscrupulous stock market juggling of the officials. Moreover the common practice of stock-watering made rates unnecessarily high.

Feeling the pressure of the railroad and industrial corporations, the farmers bethought themselves of their state and federal governments, as agencies through which they might remedy the evils. Then they found that as a class they had little voice and no weight in either local or national legislatures. In 1870, with forty-seven per cent of the population engaged in agriculture, only seven per cent of the members of Congress were farmers. The federal government was managed by Eastern politicians, in close league with Eastern financiers and business men. Farmers' constituencies sent lawyers or business men to represent them. In the state legislatures they had more influence, but even there they were a long way from the power to control.

Once the realization of their need and their weakness was brought home to the farmers they began to appreciate the desirability of an organization of their own, and the Grange began to thrive. By the end of 1873 it had been established in all but four states: Connecticut, Rhode Island, Delaware, and Nevada. With its thousands of local chapters it became almost a national movement, with its center in the Middle West.

As it grew, opposition to it developed. Both the local merchants and the commission merchants were thoroughly alarmed at the prospect of a real farmers' organization. In numerous cases local merchants held farm mortgages, and they foreclosed on farms the owners of which became Grangers. But this sort of opposition merely em-

phasized the need of the order, and the farmers persisted in strengthening it.

As stated in the national convention of Grangers, held in 1873, the order aimed to help the farmers to improve their homes, to secure better facilities for agricultural education, to introduce improved methods in farm work, to provide facilities for coöperative buying and selling. The Grange put itself on record as opposed to monopolies, to excessive railroad charges, and to monopoly control of transportation. At the same time the order declared that it was not a political society, even though it was interested in the enforcement of the laws.

But the Grangers could not get results without going into politics. Sometimes they formed accessory political parties, sometimes they tried to work through the medium of the two old parties. Candidates of either party who would sponsor the Grange program would receive Grange support. But in many cases the difficulty of working through the regular organizations proved to be too great, so by 1873 and 1874 the Grangers were appearing in the guise of Independent, Reform, Anti-Monopoly, or Farmers' parties. Whatever may have been the local objects of these groups, they all agreed in demanding a more effective measure of control of corporations, both industrial and railroad, and they also insisted upon economy and reform in the government.

GRANGER LAWS

The first concrete results of the agrarian campaign appeared in Illinois. A new state constitution, in effect in 1870, made it mandatory upon the legislature to pass laws prohibiting excessive charges by the railroads. In 1871 a law for the purpose was passed, but two years later the state supreme court declared it unconstitutional. By that time the farmers were thoroughly aroused, and under their pressure the legislature passed a more stringent railroad law. Furthermore in the elections of 1873 the farmers put up their own candidates for judicial positions, and elected them, thereby bringing the state supreme court partly under their control. Naturally their next move was to attempt to put their own candidates into as many state offices as possible, and into the legislature.

By 1876 five of the middle western states had elected legislatures virtually pledged to enact laws regulating the railroads. While the Grange was not officially behind the movement, the active leaders were generally Grangers, and the Grange meetings made possible

much of the political activity. They got the farmers out, and with Grange business concluded, it was easy to adjourn and then immediately start a lively political discussion.

In the contest between the farmers and the railroads the real issue turned on the right of the state to regulate the charges of common carriers. The roads argued that they were in the position of any corporation chartered to transact business, and that the state had no more authority to control their rates than it had to fix the selling price of any commodity. The farmers argued that the roads were different from an ordinary corporation; that they were public service corporations, and as such they were subject to public supervision and control.

The theories of the farmers found expression in a number of laws, imposing various restrictions on the roads. In 1871 Illinois established maximum passenger fares, and enacted a law providing that freight rates were to depend entirely on distance. To see that these laws were properly enforced the state created a railroad commission. The roads at first refused to obey, but the state courts finally compelled something like compliance.

Minnesota passed laws providing for fixed schedules for both passengers and freight, and also for a commission, similar to that in Illinois. When these measures were upheld by the state courts, the roads appealed to the federal courts, and in the meantime attempted to evade the laws. Iowa and Wisconsin followed the example of the other two states, both in regulating charges, and in creating commissions.

The railroads consistently fought the laws, and in addition to carrying their cases to the federal courts they tried out various experiments designed to make the farmers change their minds about the wisdom of the Grange laws. Grain shipments of prominent Grangers might be allowed to stand on the tracks, in damp cars, until the whole shipment became worthless, or cars would be withheld when the Grangers wanted to ship their grain. Harvesting machinery consigned to Grangers would be held back for weeks or months, and then delivered after the season was over. Then some roads reduced their passenger service almost to the vanishing point, in their endeavor to compel the farmers to change their policies.

In 1876 the Federal Supreme Court handed down decisions in eight so-called Granger cases. Declaring that the real issue was

whether or not the roads were properly subject to public regulation, the Court held that they were. So far as the roads were engaged in interstate commerce the Court held that Congress possessed authority to regulate them, but in the absence of Congressional action, the states were free to take charge. Those decisions furnished a substantial basis for public regulation, a work later taken up by Congress.

DECLINE OF THE GRANGE

But before 1876 the Granger movement had passed its climax. In 1874 there were about twenty thousand Granges or local chapters in all parts of the country; by 1880 only four thousand were left. There were a number of reasons for this decline. Some of the farmers had expected too much from it. Hearing it described as a device to improve their social and economic status, they jumped to the conclusion that it was a panacea for all their ills. Because it did not measure up to their exalted expectations, they not only dropped out, but became avowed opponents of the order. Then too in many cases the local Granges owed their establishment not so much to local demand and interest as to the contagious enthusiasm of the national officers. When they failed to keep in touch with the locals, these disappeared.

Perhaps the chief reason for the decline was the failure of the Grange to carry through successfully its plans for coöperative buying and selling. In joining the order many farmers had hoped to free themselves from the domination of the commission merchants and middlemen. The farmers felt that they were always at a disadvantage in dealing with the commission houses, and they were convinced that they were the victims of sharp practices. They sold their produce at low prices, and then they read the daily quotations for wheat and corn in eastern markets. The discrepancy between the price they received, and the price in the East was due, so they argued, to a conspiracy of the commission merchants and the railroads. Therefore they would regulate the roads, and organize their own selling agencies.

The Grangers complained too that many manufacturers were charging more than was worth for their products, especially farm machinery. They heard that in Europe, where the corporations were subjected to real competition, they were selling the same sort of goods at lower prices than those charged in America. This situation they attributed to the protective tariff, and they began to urge

tariff reform; at the same time they planned to build factories for making their own farm implements.

Finally, because they found the local merchant a kind of tyrant, with his high prices and his high interest rates, they determined to drive him out of business by opening coöperative stores. But in a contest of that sort the railroads, commission merchants, manufacturers, and local merchants all had advantages over the farmers. They were more familiar with market conditions, and they had more capital. The manufacturers were able to combine, and by resorting to a drastic price-cutting war they were able to drive many of the cooperative stores out of business. The failure, partial or complete, of these various business enterprises, served to discredit the Grange among outsiders and to deprive it of thousands of members.

But the Grange was far from being a failure. It had succeeded in its primary purposes of arousing the interest of the farmers, and of encouraging more social activity and recreation among them. There is no doubt that they were stirred out of their ruts, and they found it easier to undertake reforms in the future. The Grange put the farmer in touch with improved methods, and so made for better agriculture. Kelley's vision was in part fulfilled.

In 1876 and 1880 the farmers went enthusiastically into the Greenback party, while it was advocating a number of reform projects, such as railroad and trust regulation, and tariff reduction. In one form or another the farmers were in politics to stay. Their activity varied inversely with the extent of their economic well-being. If times were good, the farmers were relatively quiet. But when times were bad, during the late eighties, and especially after the Panic of 1893, they plunged into a genuine whirlwind of reform.

CHAPTER LV

CLEVELAND AND REFORM

During the latter part of Arthur's administration, party lines ceased to be of serious importance. For practical purposes Democrats and Republicans were so much alike that nothing but tradition and custom held members to their allegiance. Of course the two organizations were still intact, but like the Whigs and Democrats of an earlier period they had become little more than agencies to assist in the scramble for federal jobs. There was no little dissatisfaction with the Republican Party, revealed in state and local elections; for example in 1882 Grover Cleveland, Democratic candidate for governor in New York, swept his state by a hundred ninety thousand majority. In general, though not perhaps in New York, this uneasiness was due as much to a feeling that the Republicans had been in too long as to any deep-seated conviction that the Democrats held out any hope of improvement. As 1884 approached, voters looked forward to an apathetic contest. To the surprise of every one, the campaign proved to be one of the liveliest in years.

THE CAMPAIGN OF 1884

In the usual casting about for candidates the Republicans had to decide first whether or not to give Arthur another chance. He had made an excellent record, but he never commanded the support of a majority of the party. Some of the leaders hoped to rehabilitate the party and to fill up the somewhat weakened ranks by running General Sherman, but in his direct and forceful manner he refused even to consider a nomination. "I would account myself a fool, a madman, an ass," he wrote, "to embark anew, at sixty-five years of age, in a career that may at any moment become tempest-tossed by the perfidy, the defalcation, the dishonesty, or neglect of any one of a hundred thousand subordinates utterly unknown to the President of the United States, not to say the eternal worriment of a vast host of impecunious friends and old military subordinates."

The next possibility was James G. Blaine, defeated for the nomina-

tion in 1876 and in 1880. He was still laboring under the same old difficulty, the reputation of having subjected his official duty to his desire to make money. Blaine was an able politician, and he saw plainly that the election would be close, and he did not care to lose. With the general loosening of party ties he knew that the Republican label alone would not necessarily bring election, and he could see that he was far from popular with the reform wing of the party. And yet in spite of his own indifference and of the opposition of the reformers, he got the nomination. In the convention two young delegates, one from Massachusetts and one from New York, both sought to prevent Blaine's nomination. They were Henry Cabot Lodge and Theodore Roosevelt. Although they did not want Blaine, their political philosophy taught them to remain "regular" and they both voted for him.

But the reformers, "Mugwumps" as they were called, would have nothing to do with Blaine. Insistent in their demand for reform, and supported by a number of influential newspapers, they considered the possibility of an independent ticket. Eventually they decided to support the Democrats, as the only hope of success.

The Republican platform contained little that was distinctive. It made the protective tariff its leading issue, and the protection of the American worker its slogan. It also pledged itself to the principle of federal control of interstate commerce.

For the Democrats, spurred on by the partial promise of "Mugwump" support, there was really only one possibility, Grover Cleveland of New York. He was as deeply involved in the bad graces of the professional politicians as Blaine was in those of the reformers, but the professional politicians were fully alive to the advantages of picking a winner. Cleveland had been put into office as mayor of Buffalo, on a reform ticket. His record there had been excellent. Then in 1882 the Democratic leaders placed him at the head of their state ticket, not because they liked him, but because of his widespread popularity. During his career as governor he proved to be fearless and aggressive, always ready to stand up for his principles, and not unwilling to fight for them. He had little sympathy with the professional side of politics, with office mongering and place hunting. Sometimes he went rather far in telling members of the New York Assembly what he thought of them and their methods. All this delighted the reformers, who enjoyed the discomfiture of the machine.

The Democratic platform consisted of the usual criticisms of the

Republicans, with a very carefully worded promise of tariff reform. Aside from the tariff planks, the platforms were so nearly alike that with a few changes in names, they might have been used by either party.

Because of the absence of real issues, the campaign developed into a contest dealing in slander and personalities. Cleveland's record in public office was so commendable that nothing could be found as an issue to be used against him, so the Republicans resorted to attacks upon his private character. In combing over his early life they came upon one unfortunate occurrence, for which Cleveland had long since made amends, and used it to discredit him. In the meantime the Democrats were attacking Blaine's public career, with special emphasis upon his Little Rock and Fort Smith Railroad ventures. The contest between the two candidates was brought out in the dilemma of one puzzled voter. Although he found Cleveland irreproachable in his public life, he hesitated to support him because of the widely advertised scandal of earlier years. Blaine on the other hand, with a questionable record in Congress, was faultless in his private life. The voter was advised to help put Cleveland into public office, where he could be depended upon to serve well, and to relegate Blaine to that private life, which he was so well qualified to adorn.

THE BURCHARD INCIDENT

Because of the weakening of party ties, and the disappearance of real differences between the parties, the outcome could not be predicted. But Blaine would have won, had it not been for a little incident which at the moment he completely overlooked. Both sides had been working for the Roman Catholic vote, especially in New York. Blaine had the advantage there, for his mother was of that faith. Toward the end of the campaign, by way of emphasizing the contrast between Blaine of unimpeachable morals and Cleveland of questionable standards—questionable in Republican eyes, for partisan purposes—the Republicans got a group of clergymen together to give public testimony to the immaculate Blaine. The candidate was present, to lend dignity to the proceedings, rather than to hear himself extolled. But he was tired out from his campaign activities, and possibly from habit, he seems to have dozed or slept through the remarks. One of the speakers, the Reverend Doctor Burchard, interested more in rhetoric than in tact or good taste, characterized

the Democrats as the party of "rum, Romanism, and rebellion." If Blaine had been awake, he would have objected vigorously to that particular juxtaposition. But the speech got into the newspapers before any Republican appreciated its significance, and then the damage was beyond repair. Roman Catholics were deeply offended at the remark, and they shifted overnight to the Democratic standard.

The popular vote gave Cleveland 4,874,986, and Blaine 4,851,981. Cleveland carried New York by 1,149 votes. The Republican leaders had actual first-hand knowledge of the transfer of enough Roman Catholic voters from Blaine to Cleveland to account for that state. The thirty-six electoral votes of New York decided the election. Burchard therefore had the discomforting assurance that he had defeated the candidate whom he had hoped to elect.

APPOINTMENTS

Once elected, Cleveland found himself in a peculiar position. Although the Roman Catholics in New York had been the deciding factor in his election an appreciable part of his strength had come from dissatisfied Republicans, or "Mugwumps." These were all advocates of civil service reform and they expected Cleveland to complete the process begun with the passing of the Pendleton Act. But the Democrats had had no taste of the offices since 1861, and they were hungry. The election was hardly over when Congressmen began to press the claims of their constituents, and the Democratic leaders settled down to distribute the rewards to the most deserving. Cleveland favored reform, and yet he could not ignore the problem of the patronage. Without support in Congress his administration would be a failure, and the support of the House of Representatives could not be secured unless the claimants were taken care of. When one Democratic Senator accused Cleveland of being too slow in "advancing the cause of Democracy" the President replied: "I suppose you mean that I should appoint two horse-thieves a day instead of one."

Cleveland entered office on March 4, 1885, and in the course of the first ten months, he removed from office 643 incumbents, and filled the places with Democrats. In the first seven weeks of his term, in 1869, Grant removed 606. Cleveland sent his nominees into the Senate, which was still Republican, and by the end of February 1886,

that body had confirmed only fifteen. But the Senate finally gave way, and allowed the Democrats to take the places.

PENSIONS

After this comparatively unimportant contest with the Senate, Cleveland next encountered criticism, in Congress and out, by his stubbornness in vetoing private pension bills. These were bound up with the whole problem of Civil War pensions, concerning which there had developed ample cause for criticism. In the first year of the war, Congress passed a law granting pensions to all volunteers disabled in the service. Other laws followed, and under their terms in 1866 the government had 126,722 pensioners on the roll. By 1874 the number had increased to 238,411; the total payment that year on the score of pensions was nearly $31,000,000. In 1879 Congress "liberalized" its pension policy by passing the Arrears Act. Under earlier legislation on the subject the payment of the pension began at the time the claim was approved; this new measure made it begin at the time the disability was received, in the case of veterans, or at the time of the veteran's death, for his widow or dependents. All new pensioners would therefore receive a larger or smaller lump sum. This act passed the House in 1878, but in the Senate it was kept back for a whole year. During the interval soldier organizations flooded the Senate with appeals to pass it. In less than two years after the Senate did pass it, over 26,000 new pensioners were added to the rolls. The G. A. R. displayed a lively interest in helping its members secure pensions, and to facilitate the work it appointed a special pension committee. All applications passed through its hands. In 1884 the notorious "Corporal" Tanner became chairman of this committee. His policy was a pension for every veteran of sixty-five years of age or over, disabled or not, and the disability need not necessarily have been incurred in the service. In his own picturesque language, he announced his intention of driving a "six-mule team through the treasury." Other pension laws were passed in 1890, 1901, 1912, and 1920, all of which materially increased the amounts paid out.

Because of the amount of routine work connected with the pension business, Congress created the Pension Bureau, under the direction of a Commissioner of Pensions. For reasons of administrative efficiency the records of this bureau were closed to the public, even to

duly qualified historical investigators. While this arrangement may have been dictated by prudence and good judgment, it gave rise to charges of gross fraud and corruption.

Under the administration of the Pension Bureau the laws were so handled that any man, woman or child really deserving of a pension could secure one; according to critics, many entirely undeserving applicants were placed upon the rolls. And yet, in spite of the liberality of the laws, Congress fell into the habit of passing thousands of private pension bills, granting pensions to persons who could not secure them under the general measures. These were usually put through in blocks of several hundred at a time, without any investigation of their merits. President Cleveland looked into a few hundred of these, and found them so devoid of everything except politics, charity, and graft that he vetoed most of them.

Between 1867 and 1889 every pension commissioner reported the prevalence of fraud in granting pensions. In 1889 "Corporal" Tanner became Commissioner, entering office with his celebrated remark—at least according to tradition—"God save the surplus now." Cleveland and his pension commissioner had little sympathy with the policy of unthinking generosity in pension grants, and because of his moderation he incurred the lasting hostility of the G. A. R. In 1887 Cleveland accepted an invitation to address the G. A. R. in its national encampment, in St. Louis. Before the gathering assembled, he cancelled his acceptance, because of pointed intimations that if he attended he would be subjected to downright insult.

The frauds about which Cleveland and the reformers complained were of almost every conceivable kind. Pension attorneys or agents connived at fraud, and often participated in it. The charges brought against them ranged from the collection of illegal fees to the falsification of certificates, perjury, and forgery. The special pension acts varied. Some "corrected" the records of veterans, to the extent of expunging charges of desertion, and giving deserters honorable discharges. Some laws were passed creating military records for men who had never served in the army, so that they might draw pensions. Then there were numerous cases on record where one man was drawing numerous pensions, in one case as many as nineteen. Medical examiners approved applications of men who were thoroughly sound. Sometimes, for reasons never explained, physicians approved pension petitions on the ground that the applicant had a "normal heart,"

or a "normal liver;" in one case, on account of a "protuberant abdomen."

Because of the disinclination of Congress to go into the records of petitioners for special pension acts, pensions were granted to thousands who had no just claim to them, in many cases to deserters, in many others on account of ills in no way connected with their military service. In some pointed and illuminating articles in the *World's Work* in 1910 and 1911, Burton J. Hendrick produced evidence to prove that Congress, by special legislation, has granted pensions to camp and hospital loafers, victims of measles, and of ills that never existed; it has pensioned common-law wives, and death-bed widows; has legalized illegal marriages; has supported blind men, cripples, and imbeciles, whose claims upon the government had no existence, save in their own minds, or in the minds of corrupt pension attorneys. Over and above the amounts legitimately due to veterans injured in the service, or to their families, the government has paid out millions of dollars to the rankest impostors.

The possibilities in pension graft may be inferred from the continuance of payments long after the end of war, and long after the death of the veterans in it. For example as late as 1909 one Revolutionary pensioner was added to the roll, on which there were four hundred pensioners on account of the War of 1812, and nine hundred on account of the War with Mexico. In 1922, forty-nine widows of veterans of the War of 1812, and seventy-three soldiers of the War with Mexico were still drawing pensions.

THE INTERSTATE COMMERCE ACT

During Cleveland's administration Congress finally conceded something to the widespread demand for federal regulation of railways. Various groups of reformers, the most conspicuous of which were the Grangers and Greenbackers, had been urging a trial of this policy for several years. In 1886 the Supreme Court began to undermine the effectiveness of state regulation, thereby increasing the demand for something better. After a thorough investigation of the whole railroad problem, Congress passed the Interstate Commerce Act of 1887. It decreed that all railroad charges should be fair and reasonable, and it prohibited the roads from granting rebates, allowing special privileges to favored shippers, and charging more for short than for long hauls. It forbade pooling, and it required the roads to

post printed copies of their rates. The law also created an Interstate Commerce Commission of five members, to administer the measure. This Commission was empowered to investigate the business methods and practices of any road, to examine railroad records, and to compel the attendance of witnesses in its investigations. If the roads refused to carry out orders of the Commission, the offending companies might be brought before the federal courts.

The railroads did not take kindly to the law. Some of them opposed it, but in general they found it easier to evade it. Discriminations between shippers were still practiced, even though they were not blatantly advertised as before, and rebates could be given in secret. In place of the written contracts of earlier days the roads and their shippers resorted to "gentlemen's agreements," which left no evidence usable in any court. On the whole, the Act failed to bring the results expected. Even the courts refused to uphold the orders of the Interstate Commission, and sometimes they reversed its decisions. Many of the old abuses remained, made worse perhaps because they were carried on in the dark rather than in public. Although the Commission kept at work, it became little more than a gatherer of information. For nearly twenty years practically the only results of the passing of the Interstate Commerce Act was the establishment of the principle of federal regulation. Real reform was deferred to a later time.

THE TARIFF

Passed by a Democratic House and a Republican Senate, the Interstate Commerce Act was not a partisan measure, and consequently it hardly figured as one of the political issues. The tariff, however, was a different matter. It had been drawn into politics in the campaign of 1880, and it continued to attract the attention of platform makers for some time thereafter. In December, 1887, Cleveland startled Congress and the country by devoting the whole of his annual message to a consideration of tariff revision. When warned that his own party was far from unanimity on the subject, and that such a radical innovation might imperil his chances for a second term, he quietly replied: "Do you not think that the people of the United States are entitled to some instruction on this subject?" In the message itself he urged upon Congress the desirability of a downward revision. It was a practical question as he saw it, not an abstract

theory of economics. The surplus was accumulating in the treasury, tying up funds needed in the business world, and at the same time tempting Congress to extravagance in pension and river and harbor bills.

Whatever other merits the message may have had, it furnished an issue, and held up a standard for party measurement. Democrats in general supported the President, while Republicans called Cleveland a free-trader, and proclaimed their adherence to the protective system. In 1888 in accordance with the President's wishes, the Democratic members of the Committee of Ways and Means framed a tariff measure, the Mills Bill. This aroused a lively discussion in the House, with John G. Carlisle, the Speaker, and William B. Mills, chairman of the Committee of Ways and Means, as the chief exponents of tariff reform. On the Republican side the leading speakers were William McKinley of Ohio, and Thomas B. Reed of Maine. The protectionists emphasized the necessity of the tariff as a safeguard of American standards of living, and attributed to the high tariff the prevailing American prosperity. In order to enliven the debate, and to convince his hearers that the American workingman was not suffering because of the high prices, McKinley exhibited a suit of clothes, which he had bought for ten dollars. Mills countered with a carefully prepared table of figures, showing how the tariff increased the cost of clothing, and ending with the assertion that without the tariff McKinley's ten dollar suit could have been purchased for four ninety-eight! In the Senate the Republicans prepared another tariff bill, which retained the high protective duties. Neither measure ever passed, but both served to provide an issue for the approaching presidential campaign.

THE CAMPAIGN OF 1888

The Democrats nominated Cleveland, while the Republicans selected Benjamin Harrison of Indiana, a grandson of William H. Harrison, of Tippecanoe and Whig fame. The Republican platform was strongly protectionist. Frightened by Cleveland's advocacy of tariff reduction, business men generally and manufacturers especially worked their hardest to elect Harrison. According to rumor Quay of Pennsylvania made systematic assessments upon the business interests, promising them by way of return a continuance of the high tariff if the Republicans should win. Among the active leaders

on the Republican side was John Wanamaker, the Philadelphia merchant. In his appeals for funds, he sent the following pertinent question around to the business men: "How much would you pay for insurance upon your business? If you were confronted by from one to three years of general depression by a change in our revenue and protective measures affecting our manufactures, wages, and good times, what would you pay to be insured for a better year?"

THE MURCHISON LETTER

At the height of the campaign an ingenious Republican hit upon a clever scheme to discredit the Democratic low tariff policy by making it appear as an offshoot of British free trade. At this time anything with a British taint or tinge was bound to drive voters over to the other side. A man who signed himself C. F. Murchison wrote a letter to Lord Sackville-West, the British minister at Washington; pretending to be a naturalized Englishman, he asked Lord Sackville-West "privately and confidentially" which of the two leading candidates would be more pleasing to Great Britain. Suspecting nothing, the English diplomat replied rather guardedly that Cleveland's election would be more satisfactory to his government. On October 24 the correspondence was published, and the Republicans seized upon it as proof of their argument that free trade was a British policy. The Democrats made desperate efforts to save the Irish vote, and Cleveland demanded the recall of the unsophisticated lord. When this was refused, the British minister was given his passports.

In the election Harrison received 5,439,853 votes, Cleveland 5,540,329, but they were so distributed that in the electoral vote the figures stood: Harrison 233, Cleveland 168. New York as usual was the key state, and while David B. Hill, the Democratic candidate for governor, carried the state by eighteen thousand, Cleveland lost it by thirteen thousand. This gave rise to the story that the Democratic and Republican state machines entered into an agreement whereby Hill was to have the governorship, and Harrison the presidency. From Indiana as usual came reports of corruption and bribery. The Republican National Committee sent the following advice to the local party workers in that state: "Divide the floaters into blocks of five, and put a trusted man with the necessary funds in charge of these five, and make him responsible that none get away, and that all vote our ticket."

CHAPTER LVI

HARRISON AND WESTERN DISCONTENT

The administration of Benjamin Harrison was a period of keen party strife, during the first half of which the President was almost overshadowed by the imperious Speaker of the House, Thomas B. Reed, while in the second half the Democrats and members of the Farmers' Alliance secured such complete control of Congress that all opportunity for constructive work came to an end. The striking feature throughout was the rise of the organized farmers. Never since Jackson's time had the discontented West displayed such a determination to upset the established political order. In the face of this uncertain new force the regular leaders blundered and floundered, unaware of what was in store for them, and unable to realize either their own weakness or the strength of the new party.

THE REED RULES

In the Fifty-first Congress, which met in December, 1889, the Republicans had 166 representatives, the Democrats 159. Aside from the danger that the narrow majority might at any time be swept away by unavoidable absences, the Republicans had to face a lively minority, bent on obstructing legislation by a resort to all the known forms of "filibustering." It fell to Reed as Speaker to get what he could out of the unpromising situation. Physically Reed was a big man, almost as big as David Davis of Illinois. His strength of character and his determination were commensurate with his size. Furthermore, he had a keen mind and a sharp tongue, a combination which he used often to the terror of his opponents, and sometimes to the dismay of his friends. Addressing the young, brilliant, and very ardent Theodore Roosevelt one day, Reed remarked: "Theodore, if there is one thing for which I admire you more than anything else, it is for your original discovery of the Ten Commandments."

Reed had for some time maintained that the Rules of the House, permitting a member to be counted absent merely because he did not vote, were wrong; they made it possible for a large minority to block

all business, on the ground of no quorum. The forceful Speaker insisted that physical presence made a member part of the quorum. Reed therefore proposed some new rules, which gave the Speaker power to count a quorum, and which enabled him to prevent all dilatory motions. The rules were finally adopted by a strict party vote, in the face of spirited Democratic opposition. Reed, "the Czar," as he was dubbed by the members, was thereby enabled to regulate the conduct of the House, and to control legislation.

THE SHERMAN ANTI-TRUST ACT

One piece of legislation, the Sherman Anti-Trust Act, could hardly be called a partisan measure, because the votes for it came from both sides of the House. It was the product of a long-standing demand for trust "reform," by means of federal regulation. The law declared illegal every contract, combination, or conspiracy, in restraint of trade, and provided for a fine of $5,000, or imprisonment for not over one year, or both, for each offense. The same penalties were provided for monopolists. The measure did not differentiate between "good" and "bad" corporations, and the attitude of the Harrison administration seemed to be that once the law was on the books, the reform had gone far enough. In any case it was not invoked during his term, and it did not become even partially effective until the first Roosevelt administration. It made possible a certain amount of reform but it brought no change itself.

The next two laws, the Sherman Silver Purchase Act, and the McKinley Tariff, were both party measures. Characterizing the election of a Republican president and a Republican majority in each house of Congress as a mandate from the country to preserve the protective system, the Republicans immediately went to work on a new tariff measure. McKinley, of Ohio, chairman of the Committee of Ways and Means, argued that the Democratic policy of a low tariff would ruin the country, that without a tariff barrier English manufactures would flood the American market. Because the ordinary American voter was none too well informed regarding the intricate economic arguments for protection, McKinley compared the American laborer with his European competitor, and pictured him as the best paid, best clothed, and most contented wage earner in the world. Many of the rates in the McKinley tariff were higher than any ever in force before.

THE McKINLEY TARIFF

To conciliate the farmers, the McKinley bill provided for protective duties on cereals and potatoes, as well as on raw wool. Some of the opponents of a high tariff had based their opposition on the accumulating surplus in the treasury. McKinley found it easy to undermine their position. His bill removed the duty on raw sugar, thereby dropping one of the most profitable of the revenue producers, and in its place the Republicans gave a bounty to the Louisiana sugar growers.

THE SHERMAN SILVER PURCHASE ACT

Before this bill was allowed to pass, the combination of western and southern farmer interests plus the silver interests forced the majority to pass a new silver purchase act, to supersede the Bland-Allison law. This new measure, generally known as the Sherman Act, required the Secretary of the Treasury to buy 4,500,000 ounces of silver per month—virtually the entire output of the mines, over and above the amount used in industry—and to pay for it with legal tender treasury notes, redeemable in gold. The Republicans of the East were not in sympathy with the Act, but they looked upon it as less bad than free coinage, and they had to make some concession to the farmers, in order to pass the McKinley tariff. The two bills therefore went through by virtue of a log-rolling agreement between eastern protectionists and western farmers.

THE FARMERS' ALLIANCE

Lulled into quiet for one reason or another after the climax of the Granger movement, the farmers were again organizing and getting into politics. Protection did not make the appeal to the western farmers that it made to the manufacturers. Farmers' clubs and agricultural papers were talking tariff reform, and to keep them quiet the Committee of Ways and Means granted "protection" to certain kinds of farm produce. This uneasiness in the West found a counterpart in the South, where there was a traditional antipathy to protectionism. In fact farmers all over the country were showing signs of impatience with Republican policies.

In the West conditions were nearly ready for a political storm. The newer regions in Texas, western Kansas, and the Dakotas had been

boomed by the new railroads, and settlers had taken out homesteads in regions where agricultural opportunities were most uncertain. For a few years the rainfall was unusually heavy, so that the pioneers got a good start. But the farmers in these newer regions were not accustomed to frontier life; some knew little about any type of farming. Altogether they were in no position to face unusual obstacles.

Led into their respective locations by the railroads, these later pioneers were dependent upon regular, inexpensive transportation. But they did not get it, partly because of the strikes, partly because of the high rates necessitated by watered stock and undue speculation. Railroads, trusts, and the banks all came in for criticism here. The farmers were short of money, and their farms were mortgaged. They were complaining of low, and steadily falling prices for what they sold, and of high prices for what they bought. Then they found both taxes and interest rates too high for their meager incomes. Banks wanted eight per cent interest on farm mortgages. As for taxes, the farmer complained that he was at a bad disadvantage as compared with the business man. The farmer's wealth is generally in real estate, something visible, always there to catch the assessor's eye, so his property is taxed at its full valuation. But the business man could hide some of his assets in securities, which the assessor never saw, so some of his property escaped taxation. A combination of these various ills led, so the farmer reasoned, to one conclusion: an increase in the volume of money in circulation. The form of this inflationist demand was the free coinage of silver, at the old ratio of sixteen to one. In urging this remedy, the farmers, who wanted to force the price of silver down, were joined by the silver mine interests of the West, anxious to keep the price up. Evidently one group or the other was destined to be disillusioned and disappointed.

The desirability of resorting to politics to enforce their demands was borne in upon the farmers by the decline in the rainfall in 1889. Crops failed, and with nothing but a mortgage to fall back on the farmers faced foreclosure and dispossession. Whole towns and even counties were being abandoned, and the need of relief turned the sufferers to government. But at that time they found the federal government in the hands of Eastern business men, manufacturers, and especially of corporation lawyers; moreover, the management of the two great parties was closely affiliated with these same business

interests. Naturally the discontented elements began to consider a new party of their own.

The framework of such a party was already in existence, in the Farmers' Alliance. This was a federation of farmers' clubs, started in Texas during the late seventies. In 1887 the Farmers' Alliance of Texas joined with the Farmers' Union of Louisiana, and organizers were then sent into other southern states. By October 1887 there were branches in nine states. In the meantime the northwestern farmers were organizing, "to unite the farmers of the United States for their protection against class legislation, and the encroachments of concentrated capital and the tyranny of monopoly." In a platform adopted in 1881 the farmers called for a more equable scheme of taxation, a graduated income tax, federal regulation of interstate commerce, and especially public control of the railroads.

By 1886 and 1887 the farmers were laying heavy emphasis upon the free coinage of silver as a remedy for their ills, and in addition they were suggesting federal ownership and operation of the railroads and the telegraph lines. It was this Farmers' Alliance, or its representatives in Congress which compelled the Republicans to pass a silver purchase act before they would let the McKinley tariff go through.

Once the laws were passed, the farmers were convinced that they had been cheated. The Sherman Silver Purchase Act did not give them free coinage of silver, and the sop thrown to them in the form of protection for agricultural products, which they did not need, was a joke. At the same time they felt that the Sherman Anti-Trust Act was of little value in checking the depredations of monopolies. All this ill-feeling, the product of several years' accumulation, was let loose in the congressional elections of 1890.

In the South the Alliance compelled political conventions to nominate candidates pledged to the farmers' cause. In the elections the Alliance carried five states, and sent forty-four Representatives to Washington. In the West the election was almost a revolution. Meetings of farmers were held all over the states, in churches, school houses, and public halls; scores of speakers traveled up and down, urging the farmers to drive the Republicans out of office. Mrs. Mary Lease, a famous advocate of agrarian reform, made a hundred and sixty speeches during the summer and fall of 1890, advising the farmers to "raise less corn and more Hell!" "Wall Street," according to Mrs. Lease, "owns the country. It is no longer a government of

the people. . . . Our laws are the output of a system that clothes rascals in robes and honesty in rags. The parties lie to us, and the political speakers mislead us."

The new Congress, chosen by these elections, had, in place of the former high-tariff majority, a small Republican minority of 88, with 236 Democrats—many of whom were chosen by the Alliance—and 8 with the open and avowed Alliance label. The McKinley tariff was the grievance most widely discussed, and McKinley himself lost his own seat in Congress, due to a Democratic "Gerrymander" against him. But the heavy anti-Republican vote was the expression of western discontent with the prevailing tendencies. "The dominant party was punished because things went wrong, because the trusts throve and labor was uneasy, because prices declined, because there were scandals in the Public Lands and Pension Bureaus, and because the rainfall had diminished on the plains."

THE POPULISTS

Encouraged by their success in driving the high protectionists out of Congress, the Alliance began to make plans for a new national party, including both farmers and organized labor. In a series of conventions the plans and measures of organization were completed, and by 1892 the new People's, or Populist Party was a going concern, with state and national committees, and with plans all laid for a national nominating convention.

This convention met at Omaha in July, 1892. The platform drawn up there was a general criticism of the existing political order.

"We meet in the midst of a nation brought to the verge of moral, political, and material ruin. Corruption dominates the ballot-box, the legislature, the Congress, and touches even the ermine of the bench. The people are demoralized; . . . The newspapers are largely subsidized or muzzled; public opinion silenced; business prostrated; our homes covered with mortgages; labor impoverished; and the land concentrating in the hands of the capitalists. The urban workmen are denied the right of organization for self-protection; imported pauperized labor beats down their wages; a hireling standing army, unrecognized by our laws, is established to shoot them down. . . . The fruits of the toil of millions are boldly stolen to build up colossal fortunes for a few, unprecedented in the history of mankind; and the possessors of these, in turn, despise the republic and endanger liberty. From the same prolific womb of governmental injustice we breed the two great classes of tramps and millionaires. . . . A vast conspiracy against mankind has been organized on two continents, and it is rapidly taking

possession of the world. If not met and overthrown at once, it forebodes terrible social convulsions, the destruction of civilization, or the establishment of an absolute despotism. . . . The two great political parties . . . propose to drown the outcries of a plundered people with the uproar of a sham battle over the tariff. . . . They propose to sacrifice our homes, lives, and children on the altar of mammon; to destroy the multitude in order to secure the corruption funds from the millionaires."

Specifically, the Populists demanded the "free and unlimited coinage of silver and gold at the present legal ratio of sixteen to one," and that the "circulating medium be speedily increased to not less than fifty dollars per capita." This call for free silver was the most widely advertised part of the platform, and "sixteen to one" became the slogan of the party. Other reforms demanded were a graduated income tax, postal savings banks, and government ownership of the railroads. The telegraph and telephone systems likewise they insisted should be owned and operated by the government. It also wanted the Australian ballot, even more liberal pensions, the eight-hour day, and it suggested the adoption of the initiative and referendum. The candidate was James B. Weaver, the former Greenback standard bearer. In the West the Populists fused with the Democrats, in the South with the Republicans, picking the weaker party in each case.

The Republicans renominated Harrison, while the Democrats picked Cleveland again, their only leader of national prominence after Tilden. Both the old parties hedged on the silver question. The Democratic platform declared that "we hold to the use of both gold and silver as the standard money of the country, and to the coinage of both gold and silver without discrimination against either metal or charge for mintage." Whether this really meant "free silver" or not was left to the voters to decide.

In dealing with the same dangerous issue the Republicans asserted that "the American people, from tradition and interest, favor bimetallism, and the Republican party demands the use of both gold and silver as standard money." Both parties expressed a desire for an international agreement on the silver problem.

The carefully guarded phrase about the use of both gold and silver showed that the Republican leaders knew that something was going on in the West, but their platform remarks concerning the tariff showed that they really had no comprehension of what the trouble was. The Congressional elections of 1890 had given the Democrats

almost a three-fourths majority, something unprecedented in the House of Representatives. On being asked for the cause of this landslide, any Democrat would have attributed it to the McKinley Tariff. And yet, in spite of the evidence of widespread hostility to high protectionism, the Republican platform declared: "We reaffirm the American doctrine of protection. We call attention to its growth abroad. We maintain that the prosperous condition of our country is largely due to the wise revenue legislation of the Republican Congress. . . . We assert that the prices of manufactured articles of general consumption have been reduced under the operation of the Tariff Act of 1890." No concrete evidence of this last surprising economic doctrine was submitted.

The Democrats were more closely in touch with public opinion in characterizing the McKinley Tariff as "the culminating atrocity of class legislation." Far from admitting any increase in prosperity under it, they pointed to the recent wage reductions as proof of their contention. As for the Sherman Anti-Trust Act, they called it "a cowardly makeshift."

In the election the figures stood as follows: popular vote, Cleveland 5,556,543, Harrison 5,175,582, Weaver 1,040,886; electoral vote, in the same order, 277, 145, 22. As a new party the Populists made a good showing, on their own account, and among the Congressmen elected, many with the Democratic and Republican labels, were really Populists. For the first time since the Civil War the federal government was put entirely in Democratic hands.

Harrison's administration had not been a happy one. The President himself had done little to make a name for himself, and the country had grown unusually restive under Republican policies. Furthermore, Republican "generosity" in appropriations had created a situation which might have disturbed a more excitable man than President-elect Cleveland.

CHAPTER LVII

CLEVELAND'S SECOND TERM

THE PANIC OF 1893

Notwithstanding the prevalence of widespread discontent in the rural sections of the country, Harrison and his party were not so badly off as they might have been. The falling prices for farm products, about which the West and South complained, were a positive benefit to the urban worker, especially as wages had shown a tendency to rise. Business had been active, and the East bore the marks of prosperity. But by the end of 1892 there were indications that the East might be subjected to "hard times" of its own, and it was this legacy of impending trouble which Harrison passed on to his successor.

Continued low prices for cotton and wheat had nearly ruined the purchasing power of the farmers, and as a result Eastern manufacturers were beginning to feel the strain. Imports too were steadily falling off, partly because of decreased purchasing power, partly on account of the high duties of the McKinley Tariff. Because the federal government depended largely on import duties for its revenue, the Treasury began to suffer. Even before Harrison left office, the surplus had disappeared, and in the face of a serious deficit the government was forced to borrow money to maintain its gold reserve.

Neither the federal government nor its currency system was in a position to stand any real strain. Of the treasury notes issued during the Civil War, there were still in circulation approximately $350,000,000. Each year the Treasury was buying silver, as required by the Sherman Act, and paying for it in more treasury notes. This necessitated a yearly increase of $54,000,000. All these notes were redeemable in gold, as were the silver dollars coined under the Bland-Allison Act. These had an intrinsic value of about sixty cents in the winter of 1892. To provide for the redemption of this cheap currency the Treasury maintained a gold reserve. There had been no legal provision fixing its amount, but custom had fixed $100,000,000 as a safe minimum; if the reserve dropped below that point bankers

and business men became alarmed. The Sherman Silver Purchase Act had imposed a heavy strain on this reserve, and Harrison had kept it up to the safe minimum with the greatest difficulty.

In addition to the Sherman Act, other Republican measures were proving seriously embarrassing. The effect of the McKinley Tariff in cutting down revenue has been mentioned. In 1890 the Republican Congress had passed another pension measure, the Dependent Pensions Act, which called for heavy expenditures. While imports were falling off, exports were decreasing even faster, so that there was a balance of trade against the United States. While the United States was struggling with these difficulties, the Argentine Republic suspended specie payments. This collapse in South America injured British bankers, and in order to get money they began to sell American securities, and to take gold in payment. During the winter of 1892–93 several foreign nations were making desperate efforts to increase their gold reserves, and every attempt seemed to take gold away from the United States.

In the face of such pressure the gold reserve dropped like a barometer at the approach of a storm. Standing at $190,000,000 in June, 1890, it had gone to $177,000,000 in June, 1891. By 1893 it had fallen below the minimum of safety, and stood at $95,000,000. By the end of the year it went to $70,000,000, and by January, 1895, it touched $41,000,000. Everything pointed toward the suspension of specie payments and a silver standard.

On February 20, 1893, the Philadelphia and Reading Railroad went into bankruptcy, and this failure brought on a panic in the stock market. By March 4, the date of Cleveland's inauguration, every one could see that a tremendous crash was coming, and it is not improbable that the Republicans congratulated themselves upon their good fortune in getting out from under at the very best time possible. In May, 1893, a second stock panic occurred, and with this the storm broke loose. Banks called in all the loans they could, and refused to make new ones. Before long they even refused to cash checks. These devices were of little help, and banks failed by the hundred.

Business men found themselves entirely cut off from their money, if they had any, and they were plunged into bankruptcy. Then factories closed, and the wage-earners were thrown out of work. Men with families, large ones too, with practically no accumulated

savings, were left with nothing to do but to wonder at the extent of their calamity, and to pray for better days.

President Cleveland called Congress in special session in the summer of 1893, and asked for an immediate repeal of the Sherman Silver Purchase Act, in order that one drain on the Treasury might be stopped. The House complied, before the end of August, but the Senate was hard to move. The silver element was well represented in the upper house, and the silver Senators began a determined filibuster, to prevent the repeal bill from passing. Jones of Nevada made a speech that filled a hundred pages of the Congressional Record. But finally the President had his way, and late in October the Senate passed the repeal. In the debates in the House a young member from Nebraska, William Jennings Bryan, hitherto unknown, made something of a reputation by his impassioned pleas for silver.

In December, 1893, the Wilson tariff bill was introduced in the House, and the debate upon it began the following month. As first brought in the measure was a step in the direction of what the Democrats regarded as reform. But in the Senate many of Cleveland's own party turned against the bill, while the Republicans heaped upon it all the scorn and ridicule at their command. "The framers of the Wilson Bill having classified hydraulic hose . . . among articles of wearing apparel," one Republican Senator said, "no doubt will remodel that extraordinary measure so as to include hydraulic rams and spinning-mules in the live-stock schedule." By the time the Senate had finished with the bill it looked like almost anything but the original Wilson bill in the House. Cleveland himself described the made-over act as "party perfidy and party dishonor," and allowed it to become law without his signature. The Wilson Bill reduced some duties, and it put wool on the free list, but it was not in any sense a satisfactory measure. Its most distinctive feature was an income tax provision, included by way of response to Populist demands. This was subsequently declared unconstitutional by the Supreme Court.

While the Wilson Bill was undergoing the process of amendment, Cleveland's Secretary of the Treasury, John G. Carlisle, was struggling to maintain at least the semblance of a gold reserve. His only resource was borrowing, but the first bond issues merely started an "endless chain." Banks came to the Treasury for the gold with which they bought the bonds. In February, 1895, with the gold

reserve at $41,000,000, J. P. Morgan, the best known American banker, was called into conference with the President and the Treasury officials. Morgan suggested that the Government buy $100,000,000 in gold from the banks. He agreed that the banks would get at least half the gold from Europe, and that none of it should be taken from the Treasury. Cleveland agreed to the proposal, and the plan was carried through. While the arrangement was justified by the principles of public finance, it was politically disastrous. Leading Congressmen of Cleveland's own party turned upon him with venomous hatred that shocked even some of the hardened veterans of twenty years' political mud slinging.

The widespread industrial depression inevitably brought labor troubles and disturbances. Where factories simply closed, there was not much that the employees could do. Where the shops were kept running, wage reductions came as a matter of course. In 1893 and 1894 the Pullman Palace Car Company reduced wages about twenty-five per cent. A committee of the employees asked for a return to the original scale: their request was refused and some of the members of the committee were discharged. A strike followed. The American Railway Union joined with the Pullman employees, and the General Managers' Association upheld the Pullman Company. The railroad unions refused to handle Pullman cars on trains, and the strike spread into all the states west of the Mississippi. Violence and destruction of property were far too common, and the United States mail service was interrupted. The disorders were most serious in Illinois, in and around Chicago, and President Cleveland sent in federal troops to enforce federal law. In July, 1894, the United States District Court of Illinois issued an injunction, forbidding officers, members of the Union, and all other persons from interfering with the movement of trains, or with employees who were performing their duties. Eugene V. Debs, the President of the Union, and the other officers continued their efforts in directing the strike, and in consequence they were imprisoned for contempt of court.

In the congressional election of 1894 the Democrats were badly beaten. The Republicans regained control of the House with 248 members against 104 for the Democrats. The Populist Party polled about one and a half million votes. By 1895 Cleveland was the most unpopular, most cordially hated man in the Democratic Party. While the Democrats were berating him for the repeal of the Sherman

Silver Act, the bargain with the Morgan banking interests, and the use of federal troops in Illinois, the Republicans were holding him responsible for the Panic of 1893. As an Ohio Congressman put it, until November, 1892, economic conditions in the country were most favorable. "Iron furnaces throughout the country were in full blast, and their cheerful light was going up to Heaven notifying the people of the United States of existing prosperity and warning them against change of conditions." But the voters foolishly put the Government into the hands of the party "which had declared war on the system upon which our whole industrial fabric had been erected." "One by one the furnaces went out, one by one the mines closed up, one after another the factories shortened their time." By 1896, thanks to the convincing arguments of Republican orators, and to the panic, the industrial sections had adopted the theory that economic well-being was impossible save under a Republican administration.

VENEZUELA

While Cleveland, Congress, and the country were struggling with the problems of business depression, the Venezuela tangle was suddenly thrown before the public. In the form which it assumed in Cleveland's second term, it came as a combination of shock and surprise, partly perhaps because for a number of years matters of foreign policy had been submerged under the mass of domestic issues. For a generation after the Civil War, little attempt had been made to cultivate intimate relations with the Latin-American countries. Various isolated issues came up for consideration but there was little evidence of any well defined or consistent policy. This was especially true after the disappearance of the American Merchant Marine. With her ships, trade, capital, and interest in developing foreign markets, Great Britain seemed likely to win a position of dominant influence in that part of the American World. Moreover, the rising German Empire was looking about for foreign markets, and German immigration in Brazil was noticeably heavy.

In 1881, as Secretary of State under Garfield, Blaine planned to map out a constructive Latin-American policy for the United States, and to make that the great achievement of the administration. But with the advent of Arthur all of Conkling's foes had to be ousted from high Government positions, so Blaine resigned. Restored to the State Department in 1889 by Harrison, Blaine proceeded to

develop his plans. In general, he sought to put the United States in the rôle of "elder sister" to the South American republics. In particular, he hoped to preserve peace among the states there by having the United States act as mediator in their disputes. The most important contest of this sort grew out of the boundary controversy between Chile, and Bolivia and Peru. In the war the Chileans were victorious. By way of asserting their rights as victors, they took the two valuable provinces of Tacna and Arica from Peru, and all the seacoast of Bolivia. Blaine made the mistake of showing too much sympathy for Peru, thereby incurring the hostility of Chile.

Later, during a civil war in Chile, the American minister made himself obnoxious to the victorious party by his persistent efforts to stir up anti-British feeling there. The minister in question, Patrick Egan by name, was a recently naturalized immigrant from Ireland, evidently appointed as a part of the policy of cultivating the Irish vote. While feeling between the two countries was still somewhat strained, a mob in Valparaiso attacked some American sailors on shore leave. One officer was killed, and several bluejackets wounded. Both Harrison and Blaine adopted a policy designed more to win Irish votes in the coming presidential election than to arrive at a satisfactory settlement. Finally Chile yielded, and made suitable reparation for the affront. But the incident tended to arouse rather than to allay ill feeling between the United States and her Latin-American neighbors.

In order to provide the means for closer American understanding and coöperation, in 1881 Blaine had issued an invitation to a conference of American republics, to be held at Washington. His successor, Frelinghuysen, withdrew the invitation, but in 1889 Blaine was given the opportunity to renew it. The Congress met that year, with Blaine as the presiding officer. The delegates discussed a long list of matters of general interest, concerning which a uniform American policy might be desirable, such as tariff policies, better facilities for communication, coinage, weights, and measures, and especially the preservation of peace. The Conference made a number of recommendations, but the governments concerned failed to approve them.

There was one tangible, lasting result of the Pan-American Congress: the creation of the International Bureau of American Republics, at Washington, which developed into the Pan-American Union. This has served as a clearing house for Latin-American questions,

and in connection with it other Pan-American Congresses have been held.

Blaine's purpose and ideals in this matter were generally good, but they were often marred in execution by the agents whom he selected. If he had been able to keep clear of party politics, he might have come closer to real achievement.

Cleveland's Secretary of State was Richard Olney of Massachusetts, and like Blaine, he was interested in Latin America. During the disastrous second term a dispute between Venezuela and Great Britain threatened for a time to drag the United States into war.

North of Brazil, on the northern coast of South America, lie French, Dutch, and British Guiana; beyond British Guiana lies Venezuela. Between the two regions there was a broad expanse of unoccupied jungle. England had acquired British Guiana from the Dutch in 1810 without any precise understanding as to the western boundary. Beginning with 1841, both parties began to make extreme claims. In 1876, Venezuela began to complain of British encroachments in the Orinoco valley. In spite of these protests, the British advance continued, especially after reports of gold discoveries in the Orinoco valley gave added value to the region in dispute. In 1886 Venezuela began the construction of a lighthouse at the mouth of the Orinoco and announced that she would break off diplomatic relations with Great Britain if her rights there were contested. Relations were broken off the following year, and at that point the first Cleveland administration announced that the United States would be glad to act as mediator in the dispute. The British Government refused to consider the offer.

From 1888 to 1895, British settlers were flocking into the territory and by 1895 a clash was plainly coming. The British planned to intervene in force, to uphold their claims, and Venezuela repeatedly appealed to the United States. This situation gave rise to an active exchange of notes between Olney and Lord Salisbury over the Monroe Doctrine, and its applicability to the controversy over the Orinoco valley.

Olney argued that if Great Britain was actually encroaching on Venezuelan territory, she was extending European sovereignty at the expense of an American state, and consequently violating the Monroe Doctrine. Whether a violation had occurred was a question of fact, to be determined by impartial investigation of the boundary question.

The United States therefore insisted upon arbitration. The most famous part of the correspondence was Olney's dictum of July, 1895, regarding the position of the United States. "The United States is practically sovereign on the continent and its fiat is law upon the subjects to which it confines its interposition. Why? It is not because of the pure friendship or good will felt for it. It is not simply by reason of its high character as a civilized state, nor because wisdom and equity are the invariable characteristics of the dealings of the United States. It is because in addition to all the other grounds, its infinite resources combined with its isolated position render it master of the situation and practically invulnerable against any or all other powers."

Lord Salisbury denied that the Monroe Doctrine had any bearing on the case. Monroe's famous statement had been issued to cover a special emergency, and, once its purpose was served, it became obsolete. "No statesman, however eminent," Lord Salisbury declared, "and no nation, however powerful, are competent to insert into the code of international law a novel principle which was never recognized before, and which has not since been accepted by the Government of any other country." The Venezuela boundary dispute, he insisted, was a matter for the two countries concerned to settle, and no third party could have any rightful voice in that settlement.

President Cleveland supported his Secretary of State in his contention that the Monroe Doctrine was involved. The President held that boundary lines had been drawn between all the American States, and that the only problem was to locate the line. If any European power refused to submit its dispute to judicial decision, the only inference was that it was seeking improperly to extend its territories.

In a message to Congress in December, 1895, Cleveland declared that the maintenance of the Monroe Doctrine was essential to American peace and safety, and that it could never become obsolete as long as the republic should last. Because Great Britain had rejected the proposal of arbitration, he said that the United States should appoint a commission to determine where the boundary lay. Once the question of fact had been settled, it would be the duty of the United States "to resist by every means within its power, as a willful aggression upon its rights and interests, the appropriation by Great Britain" of any land belonging to Venezuela. Declaring that he was fully

alive to the responsibility he incurred, and that he was aware of the possible serious consequences of his stand, he asked Congress to provide for a commission. Congress supported him without a single dissenting vote.

Cleveland's cold blooded suggestion of war filled the British Government with amazement. Those officials did not want war. Britain was just being made to feel painfully aware of the dangers in her position of "splendid isolation." Affairs in South Africa were becoming exceedingly delicate. In January, 1896, Dr. Jameson made a raid into the Transvaal, and upon his defeat Kaiser Wilhelm of Germany telegraphed effusive congratulations to the Boer president, Krüger.

The British Government finally agreed to begin negotiations, either directly with Venezuela, or indirectly with the United States as the friend of Venezuela. Arrangements for arbitration were finally made, and the tribunal appointed for the purpose met in Paris in 1899. Its award gave to Great Britain a generous share of the inland territory, and to Venezuela the mouth of the Orinoco.

For the second time the Monroe Doctrine had been questioned by a foreign power, and for the second time its validity and binding force had been most emphatically proclaimed. By acquiescing in the demands of the United States, the two European Governments concerned in the two episodes, France and Great Britain, had virtually sanctioned the American stand.

THE PACIFIC

While new prestige and dignity was being conferred upon the Monroe Doctrine, the United States was moving toward a position of importance in the islands of the Pacific. During the seventies English, German, and American consuls were busily engaged in negotiations and intrigues with the natives of Samoa, and also in the enticing pastime of checkmating each other. In 1888, as the outcome of a dispute between a local and a pro-German faction among the natives, the natives killed about fifty Germans. German public opinion promptly demanded satisfaction, while American public opinion called for the protection of the Samoans from German aggression. Great Britain was inclined to support the United States. All three powers sent warships to Samoa, and when they arrived, there was imminent danger of a serious clash. In March, 1889, a

hurricane swept over Apia, removing in its course the possibility of immediate trouble. After the usual amount of negotiation the three powers concerned recognized the independence of Samoa, but gave real authority to some officials appointed by the United States, Great Britain, and Germany.

More important than Samoa was Hawaii, in which the United States acquired a deep and lasting interest. Even before the Civil War there had been talk of annexation, and this prospect was kept alive by Seward. In 1873 Hamilton Fish pointed out the desirability of bringing the islands under the control of the United States. In 1884 the Hawaiian Government gave to the United States exclusive rights in Pearl Harbor, for a coaling and repair station. By 1892 it was becoming apparent that Great Britain was dangerously close to annexing the islands herself.

In January 1893, the Hawaiian queen, Liliuokalani, abolished the constitution and proclaimed a new one, founded upon the principle of native rule. Under this arrangement the powers formerly exercised by the United States would have been brought to an end. Two days after the queen's *coup d'Etat*, American residents there organized a committee of safety, and United States forces were landed. Then a provisional government was organized, and the queen surrendered. In February a treaty providing for annexation was drawn up in Washington. In March President Cleveland withdrew the treaty from the Senate, where it was still pending. The matter rested there, until the summer of 1898, during the Spanish-American War; in July Hawaii was duly annexed, in spite of the protest of the Japanese Government. By 1896 there were various indications that the process of American growth had not come to an end, and that further ventures in "imperialism" might be expected.

CHAPTER LVIII

THE FREE SILVER CRUSADE

Except for the Venezuela episode, in which for a time the public displayed an intense and lively concern, the people generally were more interested in domestic politics than in foreign affairs. As the presidential campaign of 1896 approached, the nation was aroused as it had rarely been before. To the discontent produced by farmers' troubles, the panic, and "hard times" was added the conviction that the whole financial and industrial structure must be made over, if the traditions of American life were to be preserved. In the campaign were reflected the social and economic issues which had arisen within the preceding twenty-five years, and because of their variety and importance this "first battle," as Bryan described it, occupies a unique position in American history.

WESTERN GRIEVANCES

In the background of this electoral contest was the mass of western discontent—typified in the rise of the Populists—due partly to the rapid settlement of the newer sections, and to the consequent increase in agricultural production. The complaints of the farmers about high interest rates, high prices for manufactured goods, unfair railroad practices, and low prices for farm produce, prevalent enough before 1893, had been made sharper by the panic. With wheat at sixty-three cents or lower and cotton at six, the farmers were naturally ready for an explosion.

In addition to these specific grievances there was a widespread belief that the business men of the East with their "trusts" not only were unmindful of the public interest, but were inimical to it. "Big Business" was accused of using its wealth to control government for the promotion of its own ends. The spokesmen of the farmers were demanding protection from the menace of the great industrial and railroad combinations. Arguing, with the facts on their side, that neither the Interstate Commerce Act nor the Sherman Anti-Trust Act had been of any appreciable service in checking the evils

of which they complained, they were determined to take control of the federal government themselves, and use it to protect the people from those who would despoil them.

"SIXTEEN TO ONE"

While the reformers were insisting upon more adequate measures for the control of corporations, they focused their efforts on one particular demand: "free silver," always at the ratio of sixteen to one, and this too while the market ratio stood at approximately thirty-two to one. Economists and financial experts talked gravely of the dangers of inflation, but the ordinary western farmer who cried for free silver was not bothered about inflation. "Sixteen to one" and "free silver" were verbal short cuts, or campaign slogans, symbols which expressed at the same time the farmers' deep dissatisfaction with prevailing conditions and their hope of better days. Back of those slogans was a vast expanse of emotional feeling, which filled the words themselves with a hot, burning significance almost entirely lost upon the business interests in the East.

Months before the nominating conventions met everybody in the South and West was talking "free silver," so much so that the demand almost assumed the proportions of an approaching crusade. Gold and silver were personified. Gold was the symbol of heartless greed and snobbish wealth, silver of "honest democracy." Gold had deserted the country during the panic; silver loyally stood by to aid the stricken people. The cause of silver was championed all over the West by speakers and writers. One of the most famous of the silver arguments was a book by W. H. Harvey entitled *Coin's Financial School.* Coin was represented as a shrewd young financial expert in Chicago, who conducted a school to teach the advantages of free silver. His students were Senators, university presidents, professors, bankers, and economists. Every attempt which they made to refute Coin's arguments always failed, and in the end the experts were all converted to Coin's gospel. The book was a curious mixture of argument, fallacy, and nonsense, but it sold by the hundred thousand. Silver men considered it not only true, but inspired. Farmers studied it in the evening, and chapters from it were read aloud at country gatherings. For the benefit of those who could not read, the book was liberally illustrated. One picture showed a one-legged man, struggling along on crutches. Two legs are better than one, therefore two

metals are better than one. Another pictured silver as a beautiful woman, whose head had been cut off by Senator Sherman. Another showed Sherman and Cleveland dressed as burglars, digging the foundation (silver) out of the house. There was a good deal in the book to give point to Mr. Dooley's concluding remark in a debate on silver: "Th' whole currency question is a matter iv lungs."

When the time for the conventions approached, the political situation was more perplexing than it had been at any time since 1860. Both parties, threatened with disruption by the silver problem, were anxious and excited. Of the old parties, the Democrats were the worse off. Cleveland's insistence upon the repeal of the Sherman Silver Purchase Act had hurt him and the whole party in the West. At the same time popular opinion laid the blame for the panic upon the Democrats, and the Republicans did all that they could to foster that belief. Cleveland's use of federal troops in the Pullman strike hurt him in labor circles. His "deal" with the J. P. Morgan Company made him intensely unpopular wherever men favored silver.

After 1895, the President had practically no supporters in Congress; in fact some Senators hated him so vehemently that they would vote against legislation which they personally wanted, merely because Cleveland was known to favor it. The old type of leader from the South had given way to more active champions of the farmer and free silver, men like Tillman of South Carolina, who had been elected partly on the strength of his threat to stick his pitchfork into Cleveland's ribs. Tillman was a coarse demagogue, with an uncontrollable temper and a missing eye. The Democrats had no national leaders. Of the two who had developed after the Civil War, one, Tilden, was dead, and Cleveland, the other, had lost all traces of support.

THE REPUBLICAN NOMINATION

The Republicans were more fortunate than their opponents. Having been out of office during the panic, they could reap whatever advantages that fact would bring to them, and they were well supplied with leaders. Among the more promising presidential possibilities was Thomas B. Reed, the portly Speaker of the House in Harrison's time. He was a man of intellect and determination, with all the qualities necessary to make a good executive. But he was conservative by temperament, known to favor a high tariff, and openly opposed to free silver. On that account he would have been

unacceptable to the great majority of Republicans in the West, who were leaning strongly toward silver and Populism.

In looking for a more "available" candidate, one whose views on the money question were neither too well known nor too firmly fixed, the Republicans bethought themselves of William McKinley of Ohio, the former chairman of the Committee of Ways and Means. He had called himself a "Bimetallist," an appellation that found favor in the West. Personally McKinley was a genial, kindly, mild-tempered man, one who could be depended upon "to swim with the tide," a harmonizer. He was a good party man, anxious to shape his own views so that they would accord with those of his following. His record in connection with the Republican tariff of 1890 would have been a positive liability before 1893, but after the panic protectionism was restored to favor.

McKinley himself, alone and unaided, would probably have had no more chance of a nomination for the presidency than any one of the thousands of other Congressmen, from 1789 to 1896. But he had the good fortune to be a friend and protégé of Marcus Alonzo Hanna, a prominent citizen of Cleveland, Ohio. Hanna liked and admired McKinley, and determined to do what he could to make him President.

MARK HANNA

Born in 1837, the son of a wholesale grocer, "Mark" Hanna developed into a keen business man. He dealt in coal, iron, and in oil, making liberal profits on his ventures. Then he became interested in shipping on the Great Lakes, and in banking. Finding that his capacities were equal to all these activities, he branched out still more, and bought a newspaper, then a theater. He saw the possibilities in street railway transportation, so he plunged into that business, with his customary perseverance and success. To develop his lines he needed franchises, which were to be secured as favors from politicians. Hanna was the sort of man who could see straight through a problem from beginning to end, and he concluded that the easiest way to secure franchises was to buy up the city government, just as he bought steamboats and theaters. This he did openly, with no thought of anything unethical in the proceeding. Before he had finished with his purchases, he controlled the whole city government of Cleveland, from the mayor down. Like other business men of the time, he had small regard for the public. "You have been in politics

long enough," he wrote to a friend, "to know that no man in public life owes the public anything."

Hanna was a typical example of the business man in politics. His philosophy taught him that all government existed for the sake of protecting and fostering business, and that the Republican Party alone was competent to manage the government, state or national. Withal he was a man of principle, or at least there were things which his standards would not let him do. Once he had given his word, he was absolutely dependable. Personally, while aggressive and dynamic, he was kindly and companionable. He made friends easily, and kept them.

In 1895 he withdrew from most of his business activities, and devoted himself, his remarkable powers of leadership, and his capacity for organization to the task of making McKinley President. His work in the campaign is intensely interesting, because it shows how presidential candidates may be manufactured. Because the Republican candidate would be selected by the party convention, Hanna's first task was to make sure of enough delegates to give his friend a solid majority in that convention. In making his preliminary analysis, Hanna found that New England was intent upon Thomas B. Reed, so much so that any attempt to secure McKinley delegates from that section would be a sheer waste of time. New York he found in the hands of "Tom" Platt, while Pennsylvania was dominated by Matthew S. Quay. The delegations of those two states would vote as the two bosses ordered; they were of course at the disposal of any candidate who made himself acceptable to Platt and Quay, but Hanna could see little hope of any successful dickering with them that early in the game.

The Northeast therefore was closed, but the South and West were still wide open. Both of these sections leaned toward silver, and McKinley's record as a bimetallist would be favorably regarded. The South in particular was the logical place for launching the McKinley boom, because the party organization there was easy to handle. Although the Southern states had nothing but the vestiges of a Republican Party left, they still had full representation in the National Convention. Out of a total of nine hundred six delegates, the Southern machines would send two hundred forty-four. If these could all be captured for McKinley, his managers would have an excellent working nucleus. Hanna rented a house in Thomasville,

Georgia, and began a series of house parties, in which McKinley was a sort of permanent guest, or main attraction. Influential Republican politicians from all over the South were royally entertained at these parties, and they all had a chance to meet McKinley informally, and to find out how delightful he was, personally. The guests had been carefully selected, and by the time the season was over, nearly all the Southern delegates were strong McKinley men.

Once the South had been captured, Hanna returned to his home in Cleveland, and gave another series of parties, this time to Republicans from the West. More delegates were converted to McKinley's candidacy. By January, 1896, numerous Republican newspapers throughout the country were "booming" McKinley. They dwelt upon the hard times following the panic, the incompetence of the Democrats, and the general prosperity which had prevailed under the beneficent McKinley Tariff. Voters have notoriously short memories, and the readers of these carefully prepared articles forgot all about the Treasury deficits, the reduced wages, and the widespread signs of distress in evidence before Harrison's term ended. Heralded as the "advance agent of prosperity," McKinley was advertised as the man best fitted to save the country from ruin. This press campaign, planned and directed by Hanna, created the impression that McKinley's popularity was tremendous.

When Platt and Quay saw the McKinley boom steadily gaining in strength, fearful of being left in a helpless minority, they announced their readiness to deliver their respective delegations for proper consideration. McKinley, however, had given specific orders to Hanna not to promise any jobs, Cabinet or otherwise, in return for delegates, so no agreement could be reached. Platt and Quay then turned to the South to pick up as many delegates as possible, for bargaining purposes. But Hanna had done his work so well, even though he had done it quietly, that as the great New York boss put it, "He had the South practically solid before some of us waked up." They did succeed in detaching about two dozen delegates from the McKinley following, but no more. By May 1, six weeks before the convention met, Hanna held the pledges of a majority of delegates, so there was every reason to believe that his candidate would be nominated on the first ballot.

Of course the work up to that point had been fairly expensive, not because of bribery, for there seems to have been none of that, but to

pay speakers, printers, and to run the house parties. Hanna paid out one hundred thousand dollars to secure McKinley's nomination, but that of course was before the days of the direct primary. It would cost more now. Colonel Procter, of Ivory Soap fame, who tried to play Mark Hanna for Leonard Wood in 1920, somewhat ruefully admitted paying a half million dollars, and even then his man did not get the nomination.

When the Republicans assembled in Convention at St. Louis on June 16, McKinley's nomination was really settled, but Hanna would take no chances. The McKinley forces made sure that the officials of the Convention were favorable to them, and then they decided the contesting delegations in favor of McKinley.

The first real difficulty was encountered in connection with the platform. Many of the Western delegates leaned toward silver, and McKinley himself posed as a bimetallist. The Eastern delegates wanted to commit the party to the gold standard, and Hanna agreed with them. But it would have been poor strategy to publish his opinions at the beginning, so he tried to force the currency question into the background, and to emphasize the tariff. The story of how the gold plank got into the Republican platform has been told in various ways by different people. One version, which has the external appearance of veracity, runs in this way. Hanna carried the draft of a gold plank with him to St. Louis, and he intended to have it embodied in the platform. But he did not intend to offer it voluntarily. If he could make it appear that he had been compelled to approve the gold standard against his will, he might demand concessions in return. The gold delegates became alarmed at rumors of a possible compromise, and they delivered an ultimatum to Hanna, giving him just one hour to accept the gold standard. This was the very thing he wanted; he "surrendered," and the gold plank went in. McKinley got the nomination.

The platform called attention to "the calamitous consequences of full and unrestricted Democratic control of the government," and referred to Cleveland's administration as "a record of unparalleled incapacity, dishonor, and disaster." The Democrats "precipitated panic, blighted industry and trade . . . closed factories, reduced work and wages, halted enterprise, and crippled American production." "Every consideration of public safety and individual interest demands that the government shall be rescued from the hands of

those who have shown themselves incapable of conducting it without disaster at home and dishonor abroad, and shall be restored to the party which for thirty years administered it with unequaled success and prosperity. . ." Critics of these remarkable statements should remember the purpose for which they were written. The Republicans proclaimed their loyalty to the principle of protection and of bounties for the sugar raisers. The currency plank declared: "We are therefore opposed to the free coinage of silver, except by international agreement with the leading commercial nations of the world . . . until such agreement can be obtained the existing gold standard must be preserved." After the adoption of the gold plank thirty-four of the silver delegates withdrew from the convention.

THE RISE OF BRYAN

The definite acceptance of the gold standard by the Republicans tended to consolidate the silver elements, and as the time for the Democratic convention approached, it became more and more plain that the silver men would be in control. The Convention met at Chicago, on July 7. The delegates from the Northeast favored gold; from all other sections they were almost solidly for silver. But while the silver men had a majority, and unlimited enthusiasm, they had no organization, and no leadership. The Convention had assembled in the Coliseum, a large building, with a roof of glass and iron. The weather was hot, almost unbearably hot, hotter even than the tempers of some of the delegates. When the national committee presented its candidate for temporary chairman, he was promptly defeated, and the silver majority put in a man of their own. Then they settled all the contested delegations by admitting the silver advocates. The regular Nebraska delegation favored the gold standard; it was turned out, and the silver delegation, with William Jennings Bryan as a member, was seated. The platform demanded "the free and unlimited coinage of both silver and gold" at the ratio of sixteen to one.

The minority tried to secure the convention's approval of a plank praising the Cleveland administration, but it was defeated, ayes three hundred fifty-seven, noes five hundred sixty-four. The mere introduction of this plank enraged the convention. Tillman of South Carolina attempted to speak, but he lost his temper so completely that no one could hear a word. David B. Hill of New York tried to talk, but the Convention howled him down. By that time the Con-

vention had become "a surging mass of men, frantic with excitement." The crowd of twenty thousand, delegates and spectators, had simply gone mad. Everybody was yelling, shouting, or cursing, at the top of his lungs.

At that point William Jennings Bryan rose to speak, realizing that an opportunity which few men ever see had suddenly come to him. Calm and undisturbed, he faced the crowd coolly, with the utmost self-possession. Before he said a single word, the noise had almost ceased, and when he began to speak, absolute stillness prevailed. His voice carried easily to every part of the great hall, and it took only three or four sentences to capture the Convention. "Mr. Chairman and Gentlemen of the Convention. I should be presumptuous, indeed, to present myself against the distinguished gentlemen to whom you have listened, if this were a mere measuring of abilities; but this is not a contest between persons. The humblest citizen in the land, when clad in the armor of a righteous cause, is stronger than all the hosts of error. I come to speak to you in defense of a cause as holy as the cause of liberty—the cause of humanity.

"We stand here representing people who are the equals before the law of the largest cities in the state of Massachusetts. When you (the gold delegates) come before us and tell us that we shall disturb your business interests, we reply that you have disturbed our business by your course. We say to you that you have made too limited in its application the definition of a business man. The man who is employed for wages is as much a business man as his employer. . . . The merchant at the cross-roads store is as much a business man as the merchant of New York. The farmer who goes forth in the morning and toils all day . . . is as much a business man as the man who goes upon the Board of Trade and bets upon the price of grain. . . ."

"We come to speak for this broader class of business men. . . . We do not come as aggressors. Our war is not a war of conquest. We are fighting for the defense of our houses, our families, and posterity. We have petitioned, and our petitions have been scorned. We have entreated, and our entreaties have been disregarded. We have begged and they have mocked when our calamity came. We beg no longer; we entreat no more; we petition no more; we defy them!"

"You come to us and tell us that the great cities are in favor of the gold standard. I tell you that the great cities rest upon these broad and fertile prairies. Burn down your cities and leave our farms, and

your cities will spring up again as if by magic. But destroy our farms, and the grass will grow in the streets of every city in this country."

"If they say bimetallism is good, but that we cannot have it until other nations help us, we reply that, instead of having a gold standard because England has, we will restore bimetallism, and then let England have bimetallism because the United States has it. If they dare to come out in the open field and defend the gold standard as a good thing, we will fight them to the uttermost. Having behind us the producing masses of this nation and the world, supported by the commercial interests, the laboring interests, and the toilers everywhere, we will answer their demand for a gold standard by saying to them; You shall not press down upon the brow of labor this crown of thorns, you shall not crucify mankind upon a cross of gold."

These extracts give an idea of the subject matter of the speech, but they can give no idea of the speech itself. Bryan was a genuine orator, the sort of man who can hypnotize almost any audience, an orator with a pleasing voice and a perfect delivery. As he approached the climax of his appeal, the crowd broke out into roar after roar of applause. When he finished, the whole twenty thousand were frenzied with enthusiasm. Had the nominations started then, Bryan would have won on the first ballot.

The silver delegates, strong in numbers, had been groping around for a leader. They found one in Bryan, much to the disgust of some Democrats from the East. "Lunacy having dictated the platform," the New York *World* said, "it was perhaps natural that hysteria should evolve the candidate." On the following day the balloting began, and after the usual complimentary votes for the "favorite sons," Bryan received the nomination on the fifth ballot. In the East, over the offices of some Democratic newspapers, flags were hung at half mast, and many former Democrats proclaimed their intention of voting for McKinley. Other "gold Democrats" started a party of their own, with Palmer and Buckner for their candidates.

The enthusiastic adoption of silver by the Democrats left the Populists in an embarrassing dilemma. The Democrats had run away with their big issue; if they fused with the Democrats, they would lose their identity as a party; if they did not fuse, the Republicans were certain to win.

The Populist Convention met at St. Louis in July. Among the delegates were heroes of the twenty-five-year campaign for agrarian

reform, Ignatius Donnelly, champion of the Baconian acrostics and of the *Lost Atlantis*, "Sockless Jerry" Simpson, and Mrs. Mary Lease. After a canvass of the situation, they decided to nominate Bryan for President, but for the second place on their ticket they selected Thomas Watson of Georgia.

THE CAMPAIGN

With the nomination out of the way, Bryan plunged into a whirlwind campaign which thoroughly alarmed the Republicans. He traveled thirteen thousand miles, visiting twenty-nine states, and he made six hundred speeches in fourteen weeks. The Democrats found it hard to raise funds, because nearly all the business interests were solidly against them. Bryan fought his "first battle" almost single handed. On the whole the Democratic candidate showed remarkable tact and courtesy during the trying contest.

The Republicans gave him very different treatment. The Reverend Thomas Dixon of New York characterized Bryan as a "mouthing . . . demagogue whose patriotism is all in his jaw-bone." He was generally represented as the personification of "riot, revolution, and ruin." Some of the gold Democrats were as bitter as the Republicans. Henry Watterson of the Louisville *Courier-Journal* declared: "He is a boy orator. He is a dishonest dodger. He is a daring adventurer. He is a political fakir. He is not of the material of which the people of the United States have ever made a President, nor is he even of the material of which any party has ever before made a candidate."

A typical example of the Republican attitude toward Bryan was published after the election in the New York *Tribune*.

"Its nominal head was worthy of the cause. Nominal, because the wretched, rattle-pated boy, posing in vapid vanity and mouthing resounding rottenness, was not the real leader of that league of hell. He was only a puppet in the blood-imbued hands of Altgeld, the anarchist [the governor of Illinois!] and Debs, the revolutionist, and other desperados of that stripe. But he was a willing puppet, Bryan was, willing and eager. Not one of his masters was more apt than he at lies and forgeries and blasphemies and all the nameless iniquities of that campaign against the Ten Commandments. He goes down with the cause, and must abide with it in the history of infamy. He had less provocation than Benedict Arnold, less intellectual force than Aaron Burr, less manliness and courage than Jefferson Davis. He was the rival of them all in deliberate wickedness, and treason to the Republic. His name belongs with theirs, neither the most brilliant nor the most hated on

the list. Good riddance to it all, to conspiracy and conspirators, and to the foul menace of repudiation and anarchy against the honour and life of the Republic."

While Bryan was carrying his gospel to his hearers in all parts of the country, "Mark" Hanna, now the chairman of the Republican national committee, was directing the Republican campaign. To offset Bryan's speaking tour, he planned to bring the people to McKinley, and for that purpose he evolved the "front porch" method of campaigning. Several times each week large delegations from all parts of the country came to McKinley's home town, Canton, Ohio. Every detail of these gatherings was worked out beforehand. If the chairman of the delegation could not come to Canton for a preliminary interview, he was directed to send on a careful statement of the speech he intended to make. That gave McKinley and Hanna an opportunity to go over it, and to suggest changes, but above all else it gave McKinley an opportunity to work out a careful reply. The newspapers published both speeches and replies, thus keeping the public informed on the progress of the "cause."

Hanna was first of all a business man, and he applied his business methods to the conduct of campaigns. He established two headquarters, one in Chicago, and one in New York. From these offices political "literature" was distributed by the carload. Over a hundred million pamphlets were sent out from Chicago, twenty million from New York. The publicity agents furnished material to the country newspapers, political "stories," anywhere from a column a week up, in the form known to newspaper men as "boiler plate." Cartoons, posters, and buttons were manufactured and spread broadcast, in almost limitless quantities. Finally Hanna hired a force of fourteen hundred campaign speakers, and sent them where their services were needed. They went into the doubtful districts, held meetings, organized torchlight processions, and resorted to every known device to arouse McKinley enthusiasm.

No one knew better than Hanna that all these methods were efficient, and no one knew better than he that they were expensive, for he had to raise the money for them. Because the dominant issue was finance, and because he was upholding the principles of the business man, he called upon that element for heavy contributions. They responded liberally, once he convinced them of the need. Banks were assessed at the rate of one fourth of one per cent of their capital,

and most of them paid. Life insurance companies made heavy contributions. The Standard Oil Company gave $250,000. More money was raised than in any previous campaign, nearly $3,500,000. Over $3,000,000 of this came from New York City and its immediate vicinity. How some of the money was spent may be seen in the statement given below.[1]

In addition to this money, which Hanna's national committee raised, various sums, of unknown size, were raised by local committees. Just how much it cost to secure McKinley's election will never be known.

Pressure was applied to the voters in various ways, to compel them to vote the Republican ticket. Dealers placed orders, with the understanding that delivery was conditional upon a Republican victory. Reports of these dealings were circulated among employees, still suffering from the effects of the "hard times." Manufacturers notified their employees that factories would be closed in the event of a Democratic victory. The Republicans promised a "full dinner pail" if they won, and many workingmen were induced to vote for McKinley who would under normal circumstances have voted some other ticket.

It seems probable that many of the Eastern Democratic leaders made no effort to help Bryan to win. Their interests were connected with the business world. Furthermore Bryan had been nominated without any help of theirs, probably in spite of them; they had no claims upon him, and no hope of reward in case he should win.

The popular vote was the heaviest ever cast, 7,111,607 for McKinley, 6,509,052 for Bryan. Of the electoral votes McKinley had 271, Bryan 176. Republican newspapers heralded the outcome as a victory over the combined forces of evil, and on the Sunday following the election Republican clergymen gave thanks in their prayers that the country had been saved from disaster. The success was full of significance for the business interests, for at least they knew where they stood.

[1] General office, salaries and miscellaneous..... $ 13,000
Bureau of Printing:
Printing..... 472,000
Salaries..... 32,000
Bureau of Speakers..... 140,000
Shipping..... 80,000
Special organizations, clubs, etc..... 276,000
State Committees..... 903.000

CHAPTER LIX

"BIG BUSINESS" TRIUMPHANT

In the minds of "Mark" Hanna and his associates, the election of McKinley was a vindication of the business interests, and a striking example of the inherent common sense of a majority of the voters. The Republican leaders were impressed as well as elated. In order to impress the country, and to make the incident live, Hanna planned a very elaborate inaugural ceremony. He worked out the various arrangements beforehand, and on March 4, 1897, everything moved with precision. The streets were carefully policed, the crowds handled most effectively and the military display was peculiarly elaborate. The country had been "saved" and it was well for the people to know it.

THE NEW ADMINISTRATION

McKinley himself was a quiet, kindly man, courteous in his bearing toward the public, gentle in his consideration for his invalid wife. He had many loyal friends both in politics and out. In his political activities caution and tact were his most noticeable characteristics. He moved slowly, if at all, when new problems had to be considered, and he never moved in such a way as to disturb the majority of his followers. The new President was not a reformer. He found the Interstate Commerce Act and the Sherman Anti-Trust Act on the statute books when he entered office. He had not been particularly interested in putting them there and he soon made it known that he would do nothing to enforce them. Trusts and railroads were to be free to pursue their ends in their own ways as long as he was in office. Even if he personally had desired reform in this field, he could have made no headway, because his friend Hanna was in the Senate, and Hanna was well supported by the representatives of "Big Business."

McKinley was eminently "safe," the very personification of Hanna's adage that it was well to "stand pat" in politics. He was likewise thoroughly in sympathy with the majority of his party. By temperament and by training he was well fitted to work with Con-

gress. Having served in the House of Representatives, he understood the sensibilities of that body and of the Senate, and he was always considerate of them. If he differed from them, as he did occasionally, they could count upon his sweet reasonableness in yielding to their pressure. In distributing the patronage he was eager to please the majority. Never acting in unseemly fashion himself, he did not arouse the violent hatred of others.

The new Cabinet was thoroughly respectable, as conservative Republicans went in those days. For Secretary of State the new President took the venerable John Sherman, then a member of the Senate. Sherman did not especially want a Cabinet post, and there is nothing to show that McKinley especially wanted him. But Hanna wanted a place in the Senate, so Sherman was removed to create a vacancy. The Treasury went to a Gold Democrat, Lyman J. Gage of Chicago. For the War Department McKinley selected General Russell A. Alger, a clever political schemer, and a successful business man, but, as the Spanish-American War was destined to show, not much better than a nuisance in the administration. The choice for the Navy Department was far better, John D. Long, an able, level-headed, and extremely useful assistant.

THE DINGLEY TARIFF

First of all a protectionist, McKinley's aim was to reëstablish the high level of his own much-criticized measure of 1890. The Republicans were fond of arguing that the Democratic tariff of 1894, the so-called "Wilson Bill," had produced a deficit every year since its enactment. The Treasury figures tell a different story. The heaviest deficit during the Cleveland administration—sixty-nine million dollars—had come in 1893–1894, while the McKinley Tariff was still in force. Each year thereafter was marked by an improvement. In March 1897 the Treasury showed a surplus of nine million dollars. As a revenue producer the Wilson measure was satisfactory. But the hard-headed business men who had contributed over three million dollars to elect McKinley had not been giving to charity. They were buying protection, and their demands had to be met. Before Congress convened the Republican caucus met, and completed the plan of organization. The able, sharp-tongued Thomas B. Reed was restored to the Speakership, and one of his colleagues from Maine, Nelson Dingley, was made chairman of the Committee of Ways and

Means. The Committee went to work at once and Dingley had his bill all prepared before Congress met.

This bill covered one hundred sixty-three printed pages, but the House passed it in almost record time, within two weeks after the Committee reported it. Although the Democratic opposition had hoped for an extensive discussion, Reed's rulings muzzled them, so that only twenty-two pages actually came up for examination in the House. In the Senate the bill was subjected to over eight hundred and fifty amendments. The differences between the House and the Senate were ironed out in conference, and Congress finished up its work on the measure before the end of July.

On the whole the duties were somewhat lower than those of the McKinley Bill, but there was no doubt of the determination to uphold the principle of protectionism. The duty on raw wool was restored, for political rather than economic reasons, and heavy duties on woolen goods were provided for. Other rates were drawn so as to give ample protection to American industries. By 1897 world-wide prosperity had been revived, and of course the United States benefited by the return of good times. Signs of the change were evident before McKinley's inauguration. But the return of better business conditions at about the time of the enactment of the Dingley Tariff enabled the Republicans to claim the credit, and to attribute the prevailing prosperity to their tariff. And the public, after its bitter experiences during the panic, was ready to believe almost anything.

The extension of business prosperity was continued without interruption during McKinley's presidency, especially after the War with Spain. (Chapter LX.) As the nation recovered from the effects of the panic, capital came out of its hiding places, and investments were made on a large scale. After the general curtailment of industry there was an unusually heavy demand for staple products, and for manufactures. Wages rose, prices soared, and it seemed that everyone, including the farmer, was happy again. In the iron and steel trade, the "business barometer," prices more than doubled in 1899.

THE TRUSTS

Perhaps the most striking tendency in the business world of the time was the steady trend toward consolidation, toward the creation of "trusts" larger than any dreamed of before. During this period a number of financiers began to startle the country with the magni-

tude of their operations. With the help of J. P. Morgan, a number of steel companies formed the United States Steel Corporation, at the time the largest "trust" in existence. There were eleven companies involved in the merger, with a capitalization of about $911,700,000. The securities of the eleven companies were called in, and in their place stocks and bonds of the new trust were issued, to the amount of $1,404,000,000. The consolidation had not increased the invested capital of the various plants, nor had it added anything, except "good will," to the value of the securities. The additional half billion to the securities represented little but "water." For financing this enterprise J. P. Morgan and Co. received approximately eighty million dollars.

The great trust was formed to put an end to competition, which sometimes had reached the destructive or "cut-throat" stage. Previous attempts to regulate prices and production by means of pools and agreements had all failed, so the parties concerned tried union. The consolidation brought certain advantages, in so far as the various processes of manufacture could be brought under the control of a single executive. The Trust owned mines, mills, and steamboats, so that it could look after all the steps, from the production of the raw material to the marketing of the finished product. Incidentally the fusion of the eleven concerns afforded an opportunity to unload new securities, at a time when investors were eager to buy.

Other "trusts" were formed during the same period. Six of the great packing houses entered into an agreement to divide the cattle-country into districts, in each of which only one branch of the so-called "Beef Trust" could buy. Railroads and banks were consolidating, and piling up enormous capitalization. The two greatest groups of interests were those of the Morgan and Rockefeller systems. "Around these two groups, or what must ultimately become one greater group, all smaller groups of capitalists congregate. They are all allied and intertwined by their various mutual interests. For instance, the Pennsylvania Railroad interests are on the one hand allied with the Vanderbilts, and on the other with the Rockefellers. The Vanderbilts are closely allied with the Morgan group, and both the Pennsylvania and Vanderbilt interests have recently become the dominating factors in the Reading System, a former Morgan road, and the most important part of the anthracite coal combine, which has been dominated by the Morgan people. . . Viewed as a whole,

we find the dominating influences in the trusts to be made up of an intricate network of large and small capitalists, many allied to another by ties of more or less importance, but all being appendages to or parts of the greater groups which are themselves dependent on and allied with the two mammoth or Rockefeller and Morgan groups. These two mammoth groups jointly constitute the heart of the business and commercial life of the nation."

The financiers showed no concern for the Interstate Commerce Act nor for the Anti-Trust Act. These measures had been passed, not to check business practices but to quell popular complaints, and once passed they were forgotten. Neither McKinley nor Hanna had any intention of probing into any of these extraordinary commercial developments, still less of interfering with them. Contributions to the campaign fund of 1896 proved to have been an excellent investment.

Safe for the time being, these exponents of "Big Business" were storing up trouble for the future. Farmers in the West and South and laborers in the East, either on their own account, or under the direction of professional agitators and doctrinaire reformers, were finding fault with the prevailing system. Thoughtful economists professed to see danger in the extraordinary piling up of capital, and some politicians were ready to turn the rising suspicion and fear to good account in the following campaigns. Although "Big Business" and its adherents continued to rely upon the economic doctrines of the "laissez faire" school, the critics were becoming more and more exasperated at the habitual "public be damned" attitude of the manipulators of great wealth.

THE PHILOSOPHY OF PUBLIC INTEREST

To take the place of "laissez faire" the reformers were developing a new philosophy, in the words of Professor Lingley, the theory of public interest. Those who wanted a change complained that the concentration of wealth in the hands of a few individuals was a menacing danger to American institutions. In their eyes the railroads were guilty of grave discrimination in favor of the few, while the corporations were bent on building up monopolies. Because of their wealth and power the business men were using the government as an agency for exploiting the people and the nation.

From the time of the Populist movement down to the Great War

the adherents of the two schools were engaged in a struggle for supremacy. The Populists had demanded federal regulation, and some measures of reform were placed upon the statute books. To protect themselves the advocates of "laissez faire" turned to the federal courts, and appealed to the Fourteenth Amendment. Between 1890 and 1910 the Supreme Court handed down five hundred twenty-eight decisions under the Fourteenth Amendment, two hundred eighty-nine of which affected corporations.

POLITICAL REFORM

The leaders in the reform movement were W. J. Bryan, R. M. LaFollette, Theodore Roosevelt, and Woodrow Wilson, working through different parties, and sometimes at cross-purposes, but generally toward the same ends. In addition to measures providing for trust and railroad control, these exponents of the public interest theory demanded the introduction of certain governmental reforms, such as the Australian Ballot, the Initiative and Referendum, the Recall, the Direct Primary, and popular election of United States Senators. These devices were all supposed to be of value in restoring to the people their rightful control over their government, which the combination of "Big Business" and machine politics had taken away.

The Australian Ballot was adopted in Massachusetts in 1890. This reform put an end to the furnishing of ballots by the party organization, and incidentally to the ease with which party-workers could follow up the movements of their hired voters. By 1900 practically all the states had followed the example of Massachusetts in changing over from the old system.

The Initiative and Referendum proved to be most popular in the West. The demand for them was based upon the supposition, well or ill founded, that the legislatures had ceased to be responsive to the wishes or even the demands of the people. With the help of these methods, the people can secure legislation in spite of a recalcitrant legislature.

The Direct Primary was brought forward as a blow at the old caucus and convention system of nominating candidates for office, and at the domination of the machine. In actual practice it is doubtful if the hopes of the reformers have been realized. Party "slates" go through with hardly any more difficulty than under the old methods, and the quality of public officials has not changed materially.

Moreover the cost has increased tremendously, because of the necessity of holding two elections. Perhaps the difference is illustrated in the amounts paid out by Hanna and Procter respectively in 1896 and 1920, in behalf of their favorite candidates for the presidency. Procter paid out five times as much as Hanna, and even then he could not get his man in. And for that matter, the public at large had no more voice in the selection of Harding as a candidate in 1920 than it had in the choice of McKinley in 1896.

Probably a far more effective agent in reform has been the aroused interest of the public in elections, and in the conduct of the government. Newspapers and magazines have found that it is profitable to feature stories of political corruption, and as a result of the minute scrutiny the game of politics is cleaner than it was thirty years ago. Or at least if the politicians have not learned to be good, they are certainly more careful.

CHAPTER LX

THE WAR WITH SPAIN

REVOLUTION IN CUBA

The settlement of the currency question and the return of prosperity freed the American people from any serious concern for their affairs at home, and enabled them to transfer their ardent enthusiasm from the gold standard and free silver to the situation in Cuba. That island was undeniably in difficulties. Starting in 1895, a revolution against Spanish rule had plunged the population into trouble, and the policy of the Spanish government threatened every one residing there with ruin. The insurrection was due to dissatisfaction with the policies of the Spanish officials. Heavy taxes were levied, to support the Spanish army and navy in Cuba, and to pay the superabundant corps of Spanish officials. The natives felt that they were being exploited, with no advantages in return.

The revolt was guided and financed by a group of Cubans and their sympathizers in New York, the "Cuban Junta." Other Cubans who had become naturalized American citizens went back to the island to assist in the war, thereby getting themselves and the American government into diplomatic tangles. Tangible evidence of the desire of these Cuban-Americans to help the revolt was to be found in the numerous filibustering expeditions, at least seventy in all, sent out from American ports. The United States government stopped nearly half of them, but twenty-seven effected a landing in Cuba.

President Cleveland recognized the "insurgency" of the Cubans, but not "belligerency," that is, he recognized the fact of war, without formally according to the insurgents the privileges of regular warfare. Cleveland likewise warned American citizens to refrain from taking part in the rebellion, and to guard against any violations of neutrality.

Americans found it hard to keep from interfering in Cuba, or from demanding interference. The policy of the insurgents combined with the retaliatory policy of the Spanish government was threatening one of the most fertile islands in the world with absolute ruin. The Cuban "army" consisted of ununiformed peasants, who could in

case of need completely lose their military identity by merging with the population. From their headquarters in the mountains the men could raid sugar and tobacco plantations, burn crops and buildings, and in general lay the country waste before the Spanish troops had time to arrive. When they did come, there was not a trace of any Cuban army to be found.

In order to meet this situation the Spanish government put two hundred thousand troops in Cuba, and sent over a new commander, General Weyler, to introduce his "reconcentration" policy. All the inhabitants of the country districts were ordered to move to fortified towns, and the transportation of provisions from town to town, except under military guard, was prohibited. This scheme of shutting off the food supply for the insurgents would have been permissible, if General Weyler had furnished the "reconcentrados" with food, adequate shelter, and medical attendance, but Weyler disregarded that part of his duty. These reconcentration camps soon became infested with disease, from which contagion was carried all over the island. The American Consul-General in Havana reported that in the province of Havana alone there had been 101,000 "reconcentrados." By December, 1897, 52,000 of them had died. There were probably about 400,000 in all gathered in the various camps, and everywhere the misery and suffering were indescribable. For hundreds of miles on a stretch the country had been made almost desert.

In 1894 the sugar crop had been about one million fifty thousand pounds, and the tobacco crop four hundred fifty thousand bales. In 1896 the figures were reduced to two hundred thousand tons of sugar, and fifty thousand bales of tobacco. Exports from the United States to Cuba fell off from $23,600,000 in value to $7,512,000 in 1896. American capital to the extent of thirty million dollars was invested in Cuban plantations, and American citizens to the number of seven hundred or more had been herded in the filthy concentration camps along with the natives. Under the circumstances probably no government would have failed to protest.

President Cleveland informed Spain that the United States would be glad to assist the two parties in reaching a satisfactory settlement, on the basis of reforms, and complete autonomy. The Spanish government replied that Cuba already enjoyed "one of the most liberal political systems in the world," and that the United States could best promote the cause of peace by putting an end to the Amer-

ican filibustering expeditions. Although Cleveland was anxious to have the outrages on the island brought to an end, he felt that the United States had no adequate grounds for intervention.

McKinley did not want war, and he tried to effect a peaceful settlement. While he was urging Congress to be patient, he was sending vigorous protests to the Spanish government, in which he made pointed references to the uncivilized and inhuman character of the war in Cuba. In the fall of 1897 the Spanish premier was assassinated, and the new government promised to improve conditions on the island. Specifically, it announced that the reconcentration scheme would be ended, and that Cuba would be given an autonomous government. On the strength of the actual change in personnel and the promised change in policy, McKinley asked Congress to give the new officials an opportunity to show whether or not they were sincere in their offer of reform.

THE APPROACH TO WAR

The new year found the Cuban problem in an exceedingly delicate phase. In the United States public opinion as well as the majority in Congress insistently demanded intervention, and McKinley was finding it constantly more difficult to keep Congress from declaring war. The younger, more sanguine men in Washington made no attempt to conceal their disgust at the President's caution. Two of them, Theodore Roosevelt, Assistant Secretary of the Navy, and Dr. Leonard Wood, an army surgeon, were so outspoken that they were commonly known as the "war party." "Well, young gentlemen," President McKinley would say, in meeting them on the street, "how is the war party to-day? Have you declared war yet?" In February, 1898, two incidents occurred which brought the United States and Spain to the very verge of war. On February 9, the *New York Journal*, owned by William Randolph Hearst, published a private letter written by Señor Dupuy de Lôme, the Spanish minister to the United States, in which the eminent Spaniard characterized President McKinley as a weakling "and a bidder for the admiration of the crowd, besides being a would-be politician who tries to leave a door open behind him while keeping on good terms with the jingoes of his own party." The minister's indiscretion in putting such sentiments on paper was matched only by the speed with which he cabled his resignation to Madrid; he managed to have it in the hands of

his foreign office before the American demand for his recall could be presented.

Just six days after the publication of this letter, on February 15, the United States battleship *Maine* was blown up in Havana harbor, a catastrophe resulting in the death of 260 members of the crew. The vessel had been sent down three weeks before to look after the interests of American citizens. The responsibility for the explosion has never been fixed. Investigations showed that two explosions had taken place, one apparently of a submarine mine, the other in the forward magazines. It is possible, though doubtful, that the initial explosion occurred inside the ship. Spanish officials or adherents may have sent the mine against it, or possibly Cuban insurgents, anxious to embroil the United States and Spain, may have been the guilty parties. The day after the disaster Roosevelt wrote that he "would give anything if President McKinley would order the fleet to Havana to-morrow. . . . The *Maine* was sunk by an act of dirty treachery on the part of the Spaniards, I believe; though we shall never find out definitely, and officially it will go down as an accident."

The destruction of the *Maine* so aroused public and Congressional opinion that war was almost a foregone conclusion. On March 9, Representative Cannon introduced a bill appropriating fifty million dollars for defense. After that it was plain that war could be prevented only by the complete withdrawal of Spain from Cuba. On March 27, an ultimatum was sent to the Spanish government, demanding an immediate amnesty, to last until October 1, the immediate ending of the reconcentration policy, and the recognition of the right of the United States to act as arbiter between Spain and Cuba provided a satisfactory settlement had not been worked out before October 1.

The Spanish government seemed ready to accede to the demands, but in doing so it had to guard against the danger of revolution at home, and the task of satisfying everybody was not an easy one. On April 3, Woodford, the American minister at Madrid, cabled that the Spanish government was trying to find a formula which would meet McKinley's demands, and at the same time which would not look too much like surrender. Woodford was convinced that a peaceful settlement was possible. On April 9, Spain published an amnesty proclamation, and on the following day, Woodford cabled that Spain would concede to Cuba autonomy, complete independence, or the

transfer of her title to the United States. The American minister believed that Spain was ready to yield on every point. On April 11, McKinley sent his war message to Congress. In this he gave abstracts of the recent correspondence, but not the full texts. After a description of the conditions prevailing in Cuba, he advised Congress that intervention was necessary.

McKinley has been severely criticized for refusing to give Woodford more time to complete his negotiations, and for not waiting a week or two longer to give the Spaniards a chance to show their good faith. The reply to the critics then, and to historians who have urged the same thing since, was that the Spanish government was merely playing for time, and that no dependence could be placed upon Spanish promises. The two parties to this dispute are no nearer agreement now than they were in 1898.

WAR WITH SPAIN

On April 19, Congress resolved that the people of Cuba were free and independent, that the Spanish government must withdraw all its forces from the island, that the President should use the land and naval forces to make the resolutions effective and that the United States disclaimed "any disposition or intention to exercise sovereignty, jurisdiction, or control over said island." These resolutions were a declaration of war.

The navy was ready for instant service when the war began. Secretary Long and his predecessors had been sufficiently interested to maintain high standards, and they had worked easily with the professional officers in charge. Theodore Roosevelt, the Assistant Secretary, felt that he had had more than a moderate share in keeping the fleet ready to fight. But his superior sometimes complained of Roosevelt's impulsiveness and occasional want of judgment. On February 25, Long had left his active young assistant in full charge for the day, and he had seized the opportunity to issue orders putting the fleet in readiness for immediate action. Long revoked the order, and gave Roosevelt some advice with reference to his proper place in the department. "I am not away from town," Long reminded him, "and my intention was to have you look after the routine of the office while I get a quiet day off." When Long returned to the office he wrote in his journal that Roosevelt "in his precipitate way, has come very near causing more of an explosion than happened to the


MAP OF THE
PHILIPPINE ISLANDS
SCALE OF STATUE MILES
0 100 200 300
CHINA
Hongkong
(British)
FORMOSA
(To Japan)
South C.
Bashee Channel
CHINA SEA
PACIFIC OCEAN
BABUYAN IS.
C. Engano
LUZON
Laoag
Vigan
Tuguegaraboa
Comarang
Bolinao
Lingayen
Baler
Bongabong
Bacolor
Bulacan
Subic
MANILA
Balayan
Batangas
Calapan
MINDORO
Mindoro Strait
CALAMIANES ISLANDS
Pact
Payao
CATANDUANES
Tiji
Albay
Mariveles
Bernardino Str.
MASBATE ISL.
Palapag
SAMAR
Borongan
Panay
PANAY ISL.
Iloilo
Bacolot
Taitay
Leyte
Zebu
BOHOL
Surigao Strait
Surigao
Butuan
Bislig
PALAWAN OR PARAGUA ISL.
NEGROS ISL.
Puerto Princesa
Dapitan
Cagayan
Sindangan
SULU OR MINDORO SEA
MINDANAO
Sta. Maria
Polloc
Mindanao
ISL.
Caraga
Zamboanga
BASILAN IS.
CELEBES SEA
Craan
O. S. Augustin
BRITISH BORNEO
SULU
SARANGANI IS.
115
120
125
20
15
10

HORMAY & CO., N.Y.

Maine. . . . He seems to be thoroughly loyal, but the very devil seemed to possess him yesterday afternoon.

"Having the authority for that time of Acting Secretary, he immediately began to launch peremptory orders; distributing ships, ordering ammunition, which there is no means to move, to places where there is no means to store it . . . and ordering guns from the Navy Yard at Washington to New York. . . The only effect of this last order would be to take guns which are now carefully stored, ready for shipment any moment, and which could be shipped in ample time to be put on any vessel, and dump them in the open weather in the New York Navy Yard, where they would be only in the way and under no proper care."

When the war started Commodore Dewey, in command of the American vessels in the Far East, was in Hong Kong. Before the declaration the Navy Department supplied him with ammunition, and gave him definite orders regarding his movements in the event of war. On the night of April 30, his small squadron of six vessels moved into the channel leading to Manila Bay. The battle of Manila Bay lasted all the morning of May 1, with the casualties on the American side amounting only to seven men slightly wounded. By May 3, Dewey had captured the land batteries as well, thereby getting control of the harbor, though not of the city itself.

In spite of his victory Dewey was in a dangerous position. He had only six vessels, with a force of 1,707 men. He was a full month's distance from his nearest home port, and no reinforcement came for over two months. Dewey established a blockade of Manila, in the course of which a number of war vessels of various nations appeared, to look after the rights of their respective nationals. The French, Japanese, British, and German governments all sent war vessels, and then the Germans reinforced their first detachment, giving Rear-Admiral Diederichs a fleet more powerful than Dewey's. The German commander ignored the rules of blockade, attempted to land provisions, and violated both international law and international decency. Dewey sent his flag-lieutenant to inform him of his "extraordinary disregard of the usual courtesies of naval intercourse," and to make it plain to him that "if he wants a fight he can have it right now." Thereafter the German conducted himself with greater decorum.

The naval forces in the Atlantic had two objects in their work, to

cut Cuba off from Spain, and to protect the passage of the American army. One battleship, the Oregon, then in the Pacific, was ordered to make the trip around Cape Horn to Key West, and did so, in just thirty-six days. The Spanish fleet under command of Admiral Cervera finally put in at Santiago, Cuba, where it was closely watched by the American blockading squadron. The commander would have preferred Havana, or San Juan, Porto Rico, as a place of refuge or as a base of operation, if fortune favored him. Santiago is located at the eastern end of the island, without railroad connection to Havana. To make matters worse, the insurgent army was between Santiago and the rest of the island, so the Spanish fleet was cut off from supplies. In the course of the blockade the Americans made a spectacular, but fruitless attempt to sink the collier *Merrimac* in the mouth of Santiago channel, to make Cervera's escape impossible. The presence of the Spanish fleet in the harbor gave Santiago a military importance which otherwise it would never have achieved, and the capture of the town became the main objective of the American army.

The navy had been ready for service the moment the War started, as Dewey's brilliant exploit in Manila Bay had shown; the War Department was not ready when hostilities commenced, and it was hardly ready when they came to an end. On April 1, 1898, the American army consisted of 28,183 officers and men. On April 26, a week after the declaration of War, Congress voted to double it in size, and to call for 267,000 volunteers. A million men offered their services. This response, as well as the general temper of the country, proved that the war was popular. It was more than that. It was a lark, an adventure, and a great entertainment, all rolled into one. For years the country had been compelled to concern itself with troublesome economic questions: prices, hard times, the currency, and the tariff. There was no romance in such matters, and the people were tired of them. They welcomed the war as a glorious reaction from the humdrum existence of the preceding ten years. "The atmosphere of the country was one of a great national picnic, where each one was expected to carry his own lunch." [1] As a further index to the prevailing state of mind, it may be recalled that the most popular song during the war was "There will be a Hot Time in the Old Town To-night." This particular song suggests dash and excite-

[1] C. R. Fish, *The Path of Empire*, 142.

ment, and a certain kind of spirit, but not spiritual exaltation, or patriotism in its generally accepted sense.

THE WAR DEPARTMENT

The War Department was in the hands of General Alger, who had been too busy with problems of patronage to develop a fighting machine. Like many other incompetents, he was too stubborn to follow the advice of experts, and he was on notoriously bad terms with General Miles, the chief commander. In the words of "Mr. Dooley," "Th' ordhers fr'm Washington is perfectly comprehensible to a jackass, but they don't mane anything to a poor, foolish man." The War Department had a very small supply of munitions on hand and apparently few plans. Tampa Bay, Florida, selected as the port of embarkation for the army, was served by a single track railroad, devoid of adequate yard and storage facilities. Supplies piled up for miles outside the town, and even those who knew what to do with them had no facilities for work. The volunteers were placed under officers who had received no training, while the commanding officers were veterans of the Civil War. General Shafter, in charge of the campaign in Cuba, was sixty-three years old; he weighed three hundred pounds. General Wheeler, second in command, "Fighting Joe," was a Confederate veteran. In the campaign for Santiago both men were ill, Shafter entirely too ill to leave his quarters.

The War Department planned an invasion of Cuba in mid-summer, with an army composed in part of green recruits, under green officers, or under officers in many cases too old for service. The medical corps knew nothing about safeguarding the men from tropical diseases. For clothing the troops had the regulation all-wool outfits, suitable for a winter campaign on the plains; for food they had, in part, Alger's "embalmed beef;" the artillery was provided with black powder, which revealed to the Spaniards the exact location of every battery using it. Curiously enough none of the newspapers thought of the comparison with Armstrong's record in the War of 1812.

On June 20, General Shafter landed in Cuba with an army of seventeen thousand men, accompanied by eighty-nine newspaper correspondents. At that time the Spanish forces on the island numbered 196,280, but fortunately they were well scattered, and transportation was difficult. Ten days later the Americans were facing the Spanish troops defending Santiago. In the first battle both Shafter and

Wheeler were sick. No telephone service had been installed, and before the battle was well under way the regiments became hopelessly confused. At that point the subordinate officers took charge, and began to get results. The most famous episode in the first real fighting was the capture of San Juan Hill, one of the keys to Santiago, a mile and a half away. The military records show that the Spanish block-house on the Hill was captured by an infantry detachment



under Hawkins. After it was taken, Roosevelt—second in command of a cavalry regiment known as the Rough Riders—advanced from the neighboring Kettle Hill, and occupied the trenches north of the block-house.

By July 3, the fighting at that point was over, but Shafter felt that he could not take Santiago by storm. He sent a cablegram to the War Department, announcing that he was "seriously considering withdrawing about five miles." Fortunately the War Department ordered him to stand his ground.

On the same day, Sunday, the Spanish fleet made its ill-fated attempt to escape from Santiago Harbor. The Americans sighted the vessels at about nine thirty; by one fifteen Cervera's fleet was destroyed. This naval victory was followed by a prompt demand for the surrender of the Spanish forces in Santiago. This was refused, but after the city was bombarded, the commander announced his readiness to surrender. On the 17th of July the surrender took place.

After the fall of Santiago, General Miles began the conquest of Porto Rico, a task which he had almost completed when the peace negotiations brought hostilities to an end. In this campaign the American losses amounted to three killed and forty wounded. The last military episode of the war was the capture of Manila, August 13.

By the first of August the health of the American army in Cuba had become alarming. Typhoid and yellow fever proved to be far more dangerous than Spanish bullets, and if the Spaniards had held out a few weeks longer, the American forces would have been utterly incapacitated. By August 3 the situation had become so bad that several officers, including Wheeler, Lawton, and Roosevelt, addressed a "round robin" to General Shafter, in which they made known the plight of their men. "This army must be moved at once or it will perish. As an army it can be safely moved now. Persons responsible for preventing such a move will be responsible for the unnecessary loss of many thousands of lives."

This very unmilitary but sensible communication had its effect, and before the end of August the troops were transferred to a camp at Montauk Point, Long Island. Of the thirty-five thousand who passed through there, twenty thousand were ill. The majority, after two or three years convalescence, recovered their health. In Montauk, at the end of the summer, after the war was over, the troops received their equipment of thin clothing.

PEACE

Peace negotiations began on July 18, when the Spanish authorities asked the French government to ask for terms in its behalf. On July 26, the French ambassador in Washington presented a note to McKinley, in which the Spanish government expressed a desire to know how the Cuban question might be settled. On July 30, the President outlined the terms of peace: the immediate evacuation of Cuba, and the relinquishment of Spanish sovereignty; the cession of Porto Rico, and one of the Ladrones; and the occupation by the United States of Manila, pending the conclusion of a treaty of peace, which should determine the status of the Philippines.

After the preliminary agreement had been signed, commissioners representing the two powers met at Paris. President McKinley appointed his Secretary of State, William R. Day, Senators Davis and Frye, Republicans, Senator Gray, Democrat, and Whitelaw

Reid, editor of the *New York Tribune*. The make-up of the peace commission served to illustrate McKinley's method of dealing with Congress. Appreciating the fact that the Senate would have the deciding voice in any treaty which was made, he aimed to secure the approval of that body by placing conspicuous members of both parties on the commission itself.

Among the commissioners there was a general agreement on certain points. Cuba was to be free, and Porto Rico was to go to the United States. The Spanish tried to saddle on Cuba certain debts which Spain had contracted before the war, for which Cuban revenues had been pledged as security. These bonds were held in France. The American commissioners refused to consider the proposal and Spain finally yielded.

Concerning the Philippines there was more uncertainty, and more discussion. Both the people and the government of the United States were puzzled as to their disposal, and as is not infrequently the case, those who knew the least about them were the most cocksure in proclaiming what ought to be done. "I know what I'd do if I was Mack," said Mr. Hennessey, "I'd hist a flag over th' Ph'lippeens, an' I'd take in the whole lot iv them."

"An' yet," said Mr. Dooley, "'tis not more thin two months since ye larned whether they were islands or canned goods."

Spain assumed that the islands should be restored to her. The war had been begun over Cuba, and the Spanish government reasoned that the surrender of Cuba ought to satisfy the United States. But public sentiment in the United States became less and less inclined to surrender them. Acquisitiveness had never been entirely wanting in American character, and the appeal of "Manifest Destiny" was not cold. Furthermore, it was daily becoming more certain that even if the American forces were withdrawn, Spanish power could not be reëstablished. The war had let loose an active native insurrection against Spanish authority in the Philippines. With the United States withdrawn, and with Spain forced out, some European power would have jumped into the opening. The leader in the Filipino insurrection, Aguinaldo, was not making a favorable impression. He and his followers, with true native amiability, had announced their intention of killing every Spaniard luckless enough to fall into their hands. All things considered, it seemed that the easiest way out was for the United States to retain control of the Philippines,

paying Spain twenty million dollars for her improvements in the islands.

The final treaty was signed on December 10, 1898. Spain relinquished all claim of sovereignty over Cuba, and the United States assumed the responsibility of occupying the island, and restoring order. Spain ceded to the United States Porto Rico, Guam, and the Philippines. The treaty also provided that "the civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress."

In the Senate there was considerable opposition to the territorial sections of the treaty, on the ground that the Constitution gives the Federal government no power "to acquire territory to be held and governed permanently as colonies." Senator Hoar of Massachusetts declared that the proposal to acquire and hold the Philippine Islands was in violation of the Declaration of Independence, the Constitution, and the whole spirit of American institutions.

CHAPTER LXI

BEGINNINGS OF IMPERIALISM

The War with Spain and its resulting territorial acquisitions, carried the United States away from its traditional policy of isolation, and brought into play forces and policies which were characterized as un-American. Cuba of course did not become an American colony; on the contrary there was a general agreement that the island should enjoy "independence," but the authorities were far from being in accord with reference to the meaning of that general term. It was clear for example that the United States could not withdraw at once, and leave the people to their fate. When the Spanish relinquished their hold all governmental organization collapsed; for a time at least the United States would be compelled to exercise supervision. Because of the nature of the struggle for independence, conditions in Cuba were appalling. Everywhere there was filth and devastation, and the ignorant Cubans were helpless. The United States had to care for the sick and the dying, and in general, clean up the island.

CUBAN GOVERNMENT

Under the supervision of the authorities at Washington a provisional government was established in Cuba, with General Leonard Wood in charge. He displayed not only energy but unusual ability as an administrator. The Americans built roads, made provision for schools, and introduced a certain amount of order into the tangle of Cuban finance. Perhaps the greatest progress of all was made in sanitation. Major Walter Reed, an army physician, discovered that yellow fever was carried by a variety of mosquito. Once that fact was demonstrated, it was possible to stamp out one of the greatest scourges to tropical health. Hitherto white people residing anywhere in the American tropics had been always in danger of this disease. Now, in those sections which have the good sense to follow certain simple rules, yellow fever has practically disappeared.

By 1900 General Wood's provisional government had done its work so well that the Cubans were considered ready to take charge of

their own affairs. In the approved American manner delegates were elected to a constitutional convention. This body, with General Wood presiding, drew up a constitution. At this particular time Cuba was in better shape, in the matter of material well-being, government, and public health, than ever before in her history. In spite of this, there was a practical certainty that if the people were left to themselves, the island would be allowed to degenerate, or to pass into the hands of some other power. The United States had not intervened for that purpose.

In order to protect Cuba from the shortcomings of its own people, and from possible foreign intervention, the American Congress decided to make the island a protectorate of the United States. The Cuban convention therefore was required to incorporate in the Cuban Constitution a series of provisions generally referred to as the "Platt Amendment." By this set of restrictions the Cubans were forbidden to permit any foreign power to impair their rights as an independent nation. Cuba was not allowed to contract any debt, the interest on which could not be paid out of the current revenue. The Cuban authorities were required to maintain the system of sanitation established by the American provisional government. In addition to these limitations on Cuban freedom of action, the government was required to grant to the United States certain specified sites for coaling and naval stations, and to permit the United States to intervene "for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty," and for the fulfillment of obligations to the Spanish residents on the island. In 1904 these same provisions were embodied in a formal treaty between the United States and Cuba.

Many Cubans were inclined to denounce the Platt Amendment as unnecessary and ungenerous, forgetting perhaps where they would have been without the help of the United States. One reason for intervention had been the desire to put an end to the intermittent trouble which for years had tormented Cuba, and aroused concern in the United States. Neither the McKinley administration nor any other could afford to let the island relapse into disorder; particularly when such a relapse might well invite foreign intervention. Even the Cuban critics themselves would find it difficult to assert that the protection has been detrimental to the island. General Wood left Cuba in 1902, on the inauguration of the government of the Cuban Repub-

lic. The United States has found it necessary to intervene twice, once in 1907, and again in 1917. Since that time the United States has furnished the Cuban government "advice" regarding its financial difficulties, without, however, resorting to armed interference.

PORTO RICO

The annexation of Porto Rico raised a very different issue. Because it was outside the territorial limits of the United States, and because it was inhabited by an alien population, President McKinley assumed that the Constitution and laws of the United States did not apply unless Congress specifically extended them there, and Congress concluded that its legislation for the new colony need not be in harmony with the Constitution.

A form of government was provided for the island by the Foraker Act of 1900, a new departure in American political practice. This called for a governor, and an executive council, appointed by the President, with the advice and consent of the Senate. This council was composed of six heads of departments, and five others; at least five members were to be residents of Porto Rico. The heads of departments appointed all subordinate officials in their respective departments. Under these circumstances the whole system of administration was controlled directly or indirectly by the President of the United States; the Porto Ricans had no voice in it. The legislature provided by the Foraker Act was made up of two houses; the executive council, serving as an upper branch, and an elective assembly of thirty-five members.

With a few minor exceptions, the form of government established by the Foraker Act was like that established by James I for Virginia when it became a royal colony, and like the system prevailing in every royal colony except Massachusetts down to 1773. Why Congress should have disregarded the valuable experience of the United States in dealing with its own earlier acquisitions, and why the much-criticised old British system should have been set up in Porto Rico, is not at all clear. Certainly the history of at least seven of the thirteen British colonies would have demonstrated the difficulty of making the system work. In Porto Rico it worked no better than it had in pre-Revolutionary America, and it raised the same sort of dispute. The elective branch of the legislature refused to appropriate funds for the executive council to spend, just as several

of the British colonies had done. And just as the British government found it necessary to interfere, so did Congress. It decreed that whenever the assembly failed to make the necessary appropriations, those last made should hold good until the legislature felt inclined to pass new ones.

There was so much friction in the machinery of government that in 1916 Congress passed the Jones Act, making the Porto Ricans citizens of the United States, and giving them an elective upper house in place of the former appointive body. This new arrangement served to allay much of the ill-feeling; since that time there has been more complaint over the character and personality of the governors sent down than over the form of government itself.

A number of cases involving Congressional acts for the dependencies finally came before the Supreme Court for settlement. In the case of De Lima *versus* Bidwell the Court held that imports from Porto Rico were not subject to the duties of the Dingley Tariff. The same ground was taken in the "Diamond Rings" case, which involved the status of the Philippines. These decisions made it plain that the Dingley Act did not apply to the dependencies, but they did not touch upon the question as to whether or not Congress could, by special legislation, levy duties on imports from these islands. In 1901, in Downs *versus* Bidwell, the Supreme Court declared that Porto Rico was a territory belonging to the United States, but not a part of it; Congress could therefore impose duties upon Porto Rican imports. This decision meant that the Constitution did not apply in full force to the dependencies, and that they were considered to be in an inferior position.

THE PHILIPPINES

In Porto Rico the United States had to deal with a people above the level of intelligence prevailing in some of the West Indies, and one which was on the whole not displeased at the introduction of American authority. The total population was slightly under a million, over half of which was white. In the Philippines the situation was radically different. There are 3,141 islands in the group, 1,668 of which are named. The total land area is about 115,000 square miles; Luzon and Mindanao, the two largest, include 77,261 square miles. The entire population numbered, in 1903, 7,635,426, nearly seven million of which were classed as "civilized." Some of the uncivilized

were primitive savages; some of the "civilized" had not advanced as far as might have been desired.

On July 3, 1898, Aguinaldo, the Philippine leader, was allowed to establish a revolutionary government, and to proclaim a republic. Only a few days before this General Merritt had embarked from San Francisco with reinforcements for Dewey, and with instructions not to recognize Aguinaldo, but to organize a provisional government. When General Merritt reached the Philippines, he found Aguinaldo's forces partly encircling Manila. They hoped to advance with the Americans in the attack upon the city, but this the American authorities would not allow. However, Aguinaldo's troops followed the Americans into the city, where their presence pointed to serious trouble. On September 8, Aguinaldo was ordered to leave town, with his forces, and he did so.

The Filipinos were becoming restless and uneasy as the fact dawned upon them that the Americans were in charge, and that their hopes of a republic were not likely to be realized. Both parties expected trouble and an insurrection against the American authorities began early in February 1899. This turn of events necessitated an increase of American forces in the islands, and by the end of August the American army there amounted to 30,963, more than the whole standing army could boast before April, 1898. By November the insurgents were pretty well scattered. But for two years after this the rebels carried on active guerrilla warfare, in which the Americans soon learned to adapt themselves to Filipino methods. The insurrection was not completely suppressed until April 1902.

Under the circumstances the first form of government set up in the Philippines was military rule, under the authority of the President. In 1900 President McKinley appointed a commission, to take charge of the problem of establishing civil authority in the islands. This commission, consisting of William H. Taft and four associates, was instructed to organize local government first, and to take over the legislative power hitherto exercised by the military governor. In 1901 McKinley appointed Taft, hitherto the chairman of the commission, the civil governor of the Philippines. In principle this form of government was like that which Great Britain provided for her new dependencies, Canada and Florida, in 1763.

In July, 1902, Congress relieved the President of a part of his

absolute authority over the Philippines, and provided for the establishment of a limited measure of self-government. Under this law, five years later, a legislature was established, with the Philippine Commission acting as the upper house, and with an elective assembly as the lower. In the first legislature the Filipino nationalists had a majority, and ever since there has been an insistent demand for independence. Up to the present the only concession which the United States has made to that demand has been the substitution of an elective upper house for the Philippine Commission.

The Philippines have not been a profitable venture for the United States government. Although the government there has become almost self-supporting, the United States has paid out from ten to fourteen million dollars each year for the defence of the islands. There is of course considerable trade with them, but the profits from that do not accrue to the government. The Filipinos have given voice several times to their disapproval of American rule. Doubtless they are better off than they were before the United States assumed "the white man's burden," but they cannot see that. Some naval officers have been indiscreet enough to hint that in case of war, a strong naval power would have little difficulty in seizing the Philippines. A colony however, is a colony, and imperialism is popular in the twentieth century.

JOHN HAY AND THE OPEN DOOR

One important by-product of the decision of the United States to keep the Philippines was the decision to take a hand in the Chinese problem, which was just becoming acute in 1898. In 1895 China had emerged from her war with Japan distinctly the loser, and prophecies were freely made that the imperialistic powers of Europe would help themselves to liberal blocks of Chinese territory. Japan had celebrated her victory by taking Korea, and the island of Formosa. This badly upset the balance of power in the Far East, thereby giving all the interested parties an opportunity to attempt to restore it, by taking something for themselves.

The German Empire was the first to move. In 1897 two German missionaries were killed in the province of Shantung. In November, the German government sent an expedition to Kiao-Chau, demanded the surrender of the city, and immediately took possession. Firmly established there, they demanded an indemnity, the lease of Kiao-

Chau for ninety-nine years, and the recognition of German power over the greater part of the Shantung peninsula. These demands were duly granted, and embodied in a treaty signed in 1898.

While the Germans were establishing themselves in Shantung, Russia seized Port Arthur and took possession of a liberal stretch of territory to the north. Great Britain could not be outdone in the race for territory and concessions, and she secured a lease of Wei-Hai-Wei, in the province of Shantung, for as long a period as the Russians remained in Port Arthur. Shortly before this Great Britain had secured additional territory around Hong Kong, which she already held. France was firmly established in Southwestern China, on Kwangchau Bay, with a ninety-nine year lease. These fortunate powers all received, in addition to their respective territories, extensive and exclusive economic privileges within their spheres of influence. These grants were made in direct violation of earlier treaties with other powers, by which "most favored nation" rights had been accorded.

The United States had built up considerable trade in various Chinese ports, all of which would be lost if the partitioning powers were allowed to have their own way undisturbed. It would have been difficult, if not impossible, for the United States to attempt to reimburse herself, as the others had done, by forcible seizures of territory. But the acquisition of the Philippines made the United States a Far Eastern power, with the right to participate in commercial privileges in that region. This may explain why the German Admiral Diederichs had been so offensive in his attitude toward Dewey in Manila Bay.

When this Chinese situation became critical, John Hay was Secretary of State. In September, 1899, he addressed a note to Great Britain, Russia, and Germany, and later a similar one to France, Italy, and Japan, setting forth his doctrine of the "open door" in China. Each power was asked to agree, formally, that it would not interfere with any treaty port, or interest already established in its particular region, that it would enforce the Chinese tariff and no other, and that it would not discriminate against other foreigners in port charges or railroad rates.

Great Britain was willing to sign an agreement to that effect, but the other powers merely expressed agreement with the proposals "in principle," a phrase with a highly technical meaning in diplomacy.

No formal declaration indorsing Hay's suggestions was ever made, but he informed the governments that their acceptance in principle would be considered "final and definitive." This unexpected step placed the exploiting powers in a dilemma. If they refused to acquiesce in Hay's interpretation, they would make their purposes somewhat too obvious; if they did acquiesce, they might lose some of the special advantages which they hoped to get. On the whole Hay's venture may be regarded as a success, and the American commercial position in China was not seriously weakened.

While the world's great powers were trying to decide how much of China each one could lay hold of, the victim of these arrangements began to show symptoms of rebellion. Under the circumstances, it was easy to win adherents to an anti-foreign movement, and in the spring of 1900 the Boxer uprising occurred. Under the leadership of Prince Tuan and with the support of part of the Chinese army, the Boxers proceeded to seize territory and to murder foreigners. The rebels held the territory between Pekin and the coast. Because of the danger the powers decided to strengthen the legation guards in Pekin. On June 19, each foreign minister at Pekin received a note ordering him to withdraw within twenty-four hours. On the 20th Baron von Ketteler, the German minister, started for the Chinese foreign office to protest; on his way there he was shot and killed. From that day until August 14, when the allied relief expedition arrived, the rebels kept the legations under close siege. The British legation was transformed into a fortress, and the whole diplomatic corps took refuge there. The Boxers were determined to rid the country of the whole foreign menace, and the relief expedition arrived just in time to prevent a general massacre.

If earlier policies could be taken as a guide, the European powers and Japan would take advantage of the uprising to secure more territory and concessions. This might mean the end of the open door, and Hay determined to save that if possible. In a note to the allied powers he announced that the United States hoped to bring about permanent safety and peace for China, to preserve Chinese territorial integrity, to protect all rights guaranteed by treaty and international law, and to "safeguard for the world the principle of equal and impartial trade with all parts of the Chinese Empire." The powers finally agreed to demand punishment for those taking part in the disturbances, the adoption of measures to prevent the recurrence of

violence, indemnities for losses suffered by the foreigners, and the improvement of relations with foreigners. In working out the details the United States urged moderation. The total amount of the indemnity was fixed at $333,000,000, of which the United States was awarded $24,000,000. The actual losses were figured at $11,000,000, and the United States paid back the surplus.

CHAPTER LXII

THE TRANSITION FROM McKINLEY TO ROOSEVELT

Ordinarily a war resulting in increased territory and a noticeable departure from traditional foreign policy might be expected to affect politics; and the War with Spain left its mark on the campaign of 1900. It gave the Democrats an issue: anti-imperialism; and it had some slight influence in the selection of the Republican candidate for vice-president. But neither the underlying philosophy nor the relative strength of the two parties seemed to be influenced in any way by the contest. The Republicans were still the exponents of "Big Business," and as such not at all opposed to the extension of American territory. With the Republicans in office and in favor of annexation, the attitude of the Democrats was predetermined; they must oppose the acquisition of new colonies, especially the Philippines.

ROOSEVELT IN 1900

In striking contrast to the "battle" of 1896, the campaign of 1900 was colorless and uneventful. In general people approved of McKinley, and they were made content by the widespread revival of business prosperity. That the President would be renominated was taken for granted, and the only doubt was with reference to the second place on the ticket. Platt, the "easy boss" in New York, wanted to give Theodore Roosevelt the vice-presidential nomination; not by way of honoring him, but to get him out of the way. Roosevelt's career with the "Rough Riders" had made him a picturesque figure, and partly on the strength of his war record he became governor of New York. He wanted another term there, but his attitude toward trusts and toward reform was so unconventional that the managers preferred a different sort of governor.

When Platt first made the suggestion, Roosevelt was not aware of the real purpose back of it, so he considered the proposal solely on its merits. As an office the vice-presidency did not appeal to him. "In the Vice-Presidency I could do nothing," he wrote to Henry Cabot

Lodge. "I am a comparatively young man yet, and I like work. I do not like to be a figurehead." A day or two later he discovered the reason of Platt's suggestion. "In fact, all the big moneyed interests that make campaign contributions of large size and feel that they should have favors in return, are extremely anxious to get me out of the State. I find that they have been at Platt for the last two or three months and he has finally begun to yield to them and to take their view."

At first Roosevelt refused to agree. "The more I have thought it over," he wrote Platt, "the more I have felt that I would a great deal rather be anything, say professor of history, than Vice-President." On June 12, a week before the national convention met, Roosevelt asserted: "I will not accept under any circumstances, and that is all there is about it." But in the convention he found that the delegates from the Western states, anxious and eager to honor him, were determined to give him the nomination, and on the strength of that feeling he finally accepted. After the election was over, he wrote to a friend: "I do not expect to go any further in politics. . . . But I have had a first-class run for my money, and I honestly think I have accomplished a certain amount."

In the platform the Republican party assumed full credit for the expansion in industry and commerce then going on, and at the same time took pains to enlighten the country with reference to the danger of entrusting the government to the Democrats. A menace to prosperity, so the platform declared, "has always resided in Democratic principles, and no less in the general incapacity of the Democratic party to conduct public affairs . . . the country's prosperity when Democratic success at the polls is announced halts and ceases in mere anticipation of Democratic plunders and failure."

Concerning the "trusts" the Republicans had to say something, because of the widespread demand for reform, and after careful effort the following plank was produced; "While recognizing the necessity and legitimacy of honest aggregations of capital to maintain and extend our trade, especially our rapidly increasing foreign trade we condemn all conspiracies and combinations intended to restrict trade, limit production, and control prices, and favor such legislation as will effectively restrain and prevent all such abuses and protect and promote competition and secure the rights of producers, laborers and all who are engaged in industry and commerce."

When the Democrats met in Kansas City, on July 4, it was already evident that Bryan would receive the nomination. The platform criticised the Republican policy of imperialism, characterized the war against the Filipinos as "criminal aggression," and warned the country against the dangers of a large military establishment. Concerning the "trusts" the Democrats declared: "The dishonest paltering with the trust evil by the Republican party in its State and National platforms is conclusive proof of the charge that trusts are the legitimate produce of Republican policies . . . and that they are protected by the Republican Administration in return for campaign subscriptions and political support."

The Democrats called for the enforcement of existing laws, and for the enactment of new ones, providing for publicity for corporation affairs, the prevention of stock watering, the prevention of monopolies, and reduction of the tariff, so that trusts might be subjected to foreign competition. Among other reforms they demanded "free silver," the direct popular election of United States Senators, and the creation of a department of labor.

McKinley and Roosevelt were elected by a larger plurality than the Republicans had received in 1896. Five western states, Kansas, Nebraska, South Dakota, Utah, and Wyoming, all strongly "free silver" in 1896, went for McKinley in 1900. Bryan not only failed to carry his own state, but his own city and voting precinct as well.

No administration had ever opened more auspiciously than McKinley's second term. The troublesome financial problem had been solved by the great increase in the world's production of gold; the farmers were prosperous and contented; labor was satisfied. McKinley was well liked and popular. In 1901 he made a tour through the South, and everywhere he was welcomed with respect and cordiality. Later he went to Buffalo, to visit the Pan-American Exposition, and on September 5 he delivered a speech to fifty thousand people. In this address he showed how the responsibilities of the presidency had changed his views and broadened his range of vision. "Isolation is no longer possible or desirable. God and man have linked the nations together. No nation can longer be indifferent to any other. . . . Only a broad and enlightened policy will keep what we have. No other policy will get more.

"A system which provides a mutual exchange of commodities is manifestly essential to the continued healthful growth of our export

trade. We must not repose in fancied security that we can forever sell everything and buy little or nothing." His address concluded with an appeal for reciprocity, and for the ending of the Republican policy of high protection.

On the day after the speech the President held a public reception, giving a personal greeting to those who wished to come. Among the visitors was a young workingman, with one hand bandaged. As he approached the President, he threw off the "bandage," thereby uncovering a revolver, and before he could be seized he fired two shots directly at McKinley. The assassin was a German Pole, Leon Franz Czolgosz by name, a blacksmith from Detroit. He was one of the dull-witted disciples of the notorious female anarchist, Emma Goldman. More rabid than the ordinary revolutionist, this woman had for some years been preaching her doctrines to any who would listen, and Czolgosz was putting some of her theories into practice.

PRESIDENT ROOSEVELT

On September 14, McKinley died. On the afternoon of the 13th Vice-President Roosevelt was at Lake Colton, on Mt. Marcy, in the Adirondacks. Upon the assurance of McKinley's physicians that their patient was in no immediate danger Roosevelt had left Buffalo, to go to his family. A mountain guide brought him the report that McKinley was failing rapidly. The Vice-President had a thirty mile drive, over the roughest of trails, to the nearest railway line. When he reached the station he learned that McKinley was dead. On his arrival at Buffalo he took the oath of office as President of the United States.

As he rose from the office in which Platt would have buried him, Roosevelt announced his intention of continuing "absolutely unbroken, the policy of President McKinley," and he asked the Cabinet members to retain their posts. This display of moderation, somewhat unexpected to those who knew him, did much to allay apprehension. Even "Mark" Hanna felt that "Mr. Roosevelt is an entirely different man to-day from what he was a few weeks since. He has now acquired all that is needed to round out his character—equipoise and conservatism." On this matter Hanna was destined to receive enlightenment.

Roosevelt was just under forty-three years of age when he took the oath of office, the youngest of the whole list of presidents. Some

observers felt that he was even younger in temperament and in attitude than in years. Born in 1858, the descendant of a line of substantial merchants, Roosevelt was brought up amidst comfortable circumstances. As a boy he was physically weak, but he had plenty of perseverance and determination. With the help of those qualities he gradually developed ample bodily strength. He was an active-minded lad, and as such the recipient of perhaps more family admiration than was good for him. Early in life he acquired the love of praise and adulation which never disappeared.

His conceit led him to talk much about himself; in addition it made him a sort of professional sermonizer, always ready with a "dogmatic harangue." An eminent English historian once described him as "an interesting combination of Saint Paul and Saint Vitus."

The rapid growth of a "Roosevelt legend" after his death makes it somewhat sacrilegious even to suggest that he had any weaknesses. He did, however, have the habit of idolizing his own theories and principles, "my policies," and at times of violently castigating those who ventured to disagree with him; not always, however. As President he had an unusually strong Cabinet, and he depended upon the advice of these men. His correspondence reveals the fact that his intolerance of opposition was more bitter after his presidency than before.

There is no doubt that the people liked him, and admired him, tremendously. Those who disliked him did so with equal vigor. He called forth strong feelings, both favorable and unfavorable. They admired his frankness, his directness, his honesty. He had the reputation of being "square," and he deserved it, and perhaps above all else the people admired him for his versatility and for his cosmopolitan interests. He enjoyed talking with anybody who had achieved distinction in any field. He was equally at home with an aristocrat like Henry Cabot Lodge, a politician like Platt or "Boss" Flynn of Pittsburg, or a prize-fighter like John L. Sullivan. Cowboys, artists, authors, foreign diplomats were always welcome at the White House. Altogether he was the most colorful character who has held the presidential office, with the possible exception of Thomas Jefferson.

In spite of his comparative youth, he had packed away more experience than the ordinary political leader would get in a lifetime. After graduating from Harvard in 1880, he studied law. Then he deter-

mined to try his hand at politics, and for that purpose he joined his local ward Republican Club. In 1881, at the age of twenty-three, he was elected to the New York Assembly, where he served three years. In 1884 he was a delegate to the Republican convention, where he distinguished himself by opposing Blaine. But Roosevelt knew that a free lance in politics accomplishes little and gets nowhere, so he accepted Blaine's candidacy as philosophically as possible, and voted for him in November. For the next two years he lived on his cattle ranch in Dakota, not making much money, because he did not have to, but building up his physique. In 1889 Harrison made him chairman of the Civil Service Commission. After that his rise was rapid: police commissioner of New York City in 1895, Assistant Secretary of the Navy in 1897, Lieutenant Colonel of the "Rough Riders" in 1898, Governor of New York in 1898, Vice-President 1901, President 1901.

During these busy years he found time to write books enough to give him rank as one of the leading historians of the country—in 1912 he was president of the American Historical Association. Among these books were the *Naval History of the War of 1812*, *The Winning of the West*, and biographies of Thomas Hart Benton and Robert Morris.

By 1901, as the preceding summary suggests, Roosevelt had acquired the habit of turning out quantities of work, and he did all this with an extraordinary enthusiasm. When he became President he plunged into the responsibilities of the office with genuine zest. It meant work, and he liked it.

As an organization man Roosevelt coöperated with the leaders of his party, both in and out of Congress. They were the men who could make or wreck his administration, and he knew it. But cooperation did not necessarily mean surrendering to the "bosses"; his negotiations with Platt suggest that some of the time at least he won them over to his own way of thinking. Roosevelt knew that Cleveland's weakness as President had been his inability to carry his party with him, and he did not intend to blunder in that direction.

With reference to the Constitution, Roosevelt, like Jackson, was inclined to interpret very liberally those parts of the document relating to the presidency. He felt that his executive power was limited only by the specific prohibitions; what was not forbidden he was allowed to do.

Naturally some of the politicians and some of the business men

were distrustful and suspicious of the new President. He was an unknown quantity, and he was supposed to have strong convictions. As his work progressed, some of them became disgusted as well as alarmed. As one of these put it, he did carry out the polices of McKinley—and buried them.

ROOSEVELT AND THE TRUSTS

Roosevelt came to the presidency at a critical time in American history, at the climax of that movement referred to as the "economic revolution." Corporations were bigger than they had been during the eighties, and less considerate of the public welfare. Under their influence it seemed that the whole economic and social structure of the United States was undergoing an extraordinary transformation. In passing the Interstate Commerce and Anti-Trust Acts Congress had recognized the existence of the problems, but up to that time little had been done to solve them. The country was demanding relief from the unfair practices of the railroads, and from the burdens—real or fancied—of the trusts. The Interstate Commerce Commission had been hampered and blocked in its efforts to force changes by the adverse attitude of the federal courts. Judicial decisions upsetting orders of the Commission were taken as a matter of course, and small shippers did not find it worth while even to report their grievances, because the processes of securing redress were so costly. During the Cleveland administration, in the most famous case which came up under the Sherman Anti-Trust Act, the Knight case, the Court decided against the government. This outcome discouraged other anti-trust suits.

The Republican Party in general sympathized with the corporations, and the corporations expected at least to be let alone. But the demand for some sort of reform was insistent, and Roosevelt had to reconcile the interests of his party with the desires of the country.

In his annual messages of 1901 and 1902 Roosevelt discussed the trust question at length. He believed that the accumulation of wealth was due to natural causes, and that in itself it was not an evil. Combination and concentration were therefore necessary and inevitable; but in the process of building up the great corporations obvious evils had appeared: stock watering, misstatements regarding securities offered for sale, and illegal methods of suppressing competition. In order to compel the trusts to conduct their business

in conformity with American institutions, the President urged inspection and publicity. To this end he advocated the creation of a Department of Commerce and Industry, the head of which should have a place in the Cabinet. The railroad problem might be solved, he thought, by an amendment to the Interstate Commerce Act. Roosevelt therefore was not, in the technical parlance of the day, a "trust-buster;" he was at war with the evils of the trusts, not with the trusts themselves. "We draw the line against misconduct," he wrote, "not against wealth." His first practical experiment with his trust policy was the suit brought against the Northern Securities Company. This was a "merger" of the more important railroad lines in the Northwest, between the Lake Superior district and the Pacific Coast. The two principal lines, the Northern Pacific and the Great Northern had attempted to unite before, but a decision of the Minnesota Courts had stood in their way. Then James J. Hill and J. P. Morgan organized the Northern Securities Company, a "holding company," to operate the two roads as a single system.

THE NORTHERN SECURITIES CASE

Early in 1902 Roosevelt discussed the matter with his Attorney-General, Philander C. Knox. Convinced that the government could secure a favorable decision, Roosevelt ordered Knox to begin proceedings for the dissolution of the Northern Securities Company. No hint of the attack was allowed to reach the public until late in the afternoon, February 19. At the present time an announcement of that sort would attract little if any attention; then the news filled the unsuspecting financial world with utter horror. "Not since the assassination of President McKinley has the stock market had such a sudden shock as was caused by the announcement . . . of President Roosevelt's purpose to test the legality of the merger," wrote the *New York Tribune.*

When the financial leaders and some of the newspapers proceeded to berate the President for what he had done, he appealed to the people. During the summer of 1902 he traveled through the East and Middle West, outlining his policy as he went. The critics called Roosevelt a Populist, a revolutionist, and an anarchist; the people approved his course. In 1903, the District Court at St. Paul decided in favor of the government, and in March 1904 the Supreme Court, by a five to four decision, reversed its position as set forth in the

Knight Case and declared the Northern Securities Company illegal. Similar suits were then started against other trusts, and the Sherman Act was given a thorough trial.

At the time the decision against the Northern Securities merger was hailed as a great victory, and it may have been. At the present time it appears that the Great Northern and the Northern Pacific lines are firmly united, with government approval. Possibly this suit, and the others which followed, made the trusts more careful in their operations, possibly not. The country is still too completely submerged in the problem of modern finance to be able to see how much these efforts really accomplished.

THE COAL STRIKE

In 1902 Roosevelt had an opportunity to deal with another one of the by-products of "Big Business," a large scale strike in the anthracite coal fields. Ninety-five per cent of the anthracite mines were owned and operated by a few railroads, such as the Lehigh Valley, the Lackawanna, and the Philadelphia and Reading. By virtue of their control of transportation, the roads had compelled the former owners to sell out, at prices fixed by the purchasers. In 1873 the State of Pennsylvania added an amendment to its constitution, prohibiting railroads in the state from engaging in coal mining, but that was easily evaded. The railroad companies organized mining companies, with the same boards of directors. This new arrangement proved profitable, because the directors, in their capacity as common carriers, could impose high freight rates on coal, and in their capacity as operators they could pass this charge on to the public.

The miners complained that they were compelled by the operators to live in company houses, to purchase supplies at company stores, and to employ company physicians, all at rates fixed by the companies. Feeling their helplessness, they finally organized a union, under the leadership of John Mitchell. The operators refused to recognize this union.

Early in 1902 the miners demanded higher wages, more freedom in their living conditions, and especially the recognition of their union. In February Mitchell asked the operators for a conference; this request was not granted. In May, Mitchell asked George F. Baer, the President of the Reading Coal and Iron Company, to submit the dispute to arbitration. Baer's reply was not calculated to conciliate

the men. "Anthracite mining is a business, and not a religious, sentimental, or academic proposition." On May 12, 150,000 miners went on strike, and they stayed out until October 23.

As cool weather came on, the Northeast, which depended largely on anthracite for domestic fuel, became thoroughly alarmed. Normally selling at five dollars per ton, by October 1, anthracite went to thirty dollars.

The operators refused to consider any thought of yielding or of compromise. Sooner or later, they reasoned, public opinion would compel the government to break the strike, in their favor. "The rights and interests of the laboring man will be protected and cared for," wrote Baer, "not by the labor agitators, but by the Christian men to whom God in his infinite wisdom has given the control of the property interests of this country, and upon the successful management of which so much depends."

The miners hoped to win public sentiment to support their side, and the union officials tried to prevent disorder and violence. In this they were more successful than might have been expected, but there was more or less violence. The newspapers which favored the operators exaggerated this, while those which favored the miners tried to minimize it. One report declared that twenty persons were killed, and forty injured during the riots.

In the meantime mayors and governors in the East were making personal appeals to Roosevelt to interfere in the controversy so that their section might have its coal. The President had no Constitutional authority to participate in a struggle of that sort, and if he had, he would have found it difficult to make the operators listen to him. His views on the trust question, most heretical for a Republican, had turned some "Big Business" men against him, and among these were some of the operators. Although he was at his "wits' end" as he put it, he knew that he must do something. If he did not, he wrote on September 27, "the public at large will tend to visit upon our heads responsibility for the shortage in coal precisely as Kansas and Nebraska visited upon our heads their failure to raise good crops in the arid belt . . . a dozen years ago."

On October 1 Roosevelt invited the operators and representatives of the miners' union to meet him in Washington, for consultation. On October 3 the parties came together, and Roosevelt appealed to the contestants to show some consideration for the suffering public.

Mitchell replied that the miners would welcome the appointment of a commission to investigate the issues involved in the strike, and that if the operators would agree to abide by the findings of such a commission, his union would do the same. The operators refused. Furthermore, in the afternoon session, they read prepared statements, the tone of which was noticeably insolent. Accusing Roosevelt of failing to do his duty, and adopting the tone of "divine right Baer," they characterized the government as "a contemptible failure if it can secure the lives and property and comfort of the people only by compromising with the violators of the law and the instigators of violence and crime."

After this rebuff Roosevelt decided to appoint a commission anyway, regardless of the attitude of the operators. At the same time, he made arrangements with the governor of Pennsylvania to send federal troops into the anthracite fields. All plans were completed for starting the troops on half an hour's notice. His next step was to send Elihu Root to New York, to talk with J. P. Morgan. These two men worked out a plan of arbitration, and under the influence of hints judiciously dropped regarding the President's plan to put the army in charge of the mines, the operators yielded. After some difficulty the commission was appointed, and the miners went back to work.

After an investigation lasting four months, in March 1903, the commission submitted its report. The miners received a ten per cent increase in wages. Their union was not formally recognized, but the operators were compelled to adopt the so-called "open shop" principle in their mines. For the purpose of preventing future strikes, the commission provided for reference of all disputes to a board of conciliation of six members, three to be chosen by each side. If this board failed to agree, the federal judge of the district was to make a final decision. Both parties professed to be entirely satisfied with the award. From that time until 1922 the anthracite regions were free from trouble. Beginning with 1922, however, they began to make up for lost time in this respect.

Roosevelt's efforts to bring business practices into harmony with the law, and his attempt to bring about a satisfactory settlement of the coal strike were new departures for the federal government. There is no doubt that the experiments made a strong appeal to the people. Hitherto the "trusts" had loomed up as an uncontrollable

power; now they must obey the law. So at least Roosevelt's admirers reasoned. Even if there are legitimate doubts as to the true measure of value in his trust policy, there can be none as to the political effect of it. The people wanted reform, so conducted that they could see what was going on. In appealing to their love of the spectacular, Roosevelt accumulated political capital for himself.

Roosevelt was unusually wise in knowing which issues to make his own, and which to disregard. The tariff for example did not appeal to him, and he could see as many chances to lose as to gain credit in advocating legislation. He managed therefore to work primarily with those questions on which he could make a stirring appeal. In doing so he showed remarkably good sense, because above every one else a reformer needs popular support.

CHAPTER LXIII

THE PANAMA CANAL

In displaying his understanding of what would or would not appeal to the country Roosevelt was never more fortunate in his judgment than in his promotion of the Panama Canal. The American people admire the man who can act; when that action seems to promote national greatness, their admiration may turn to worship. "Manifest Destiny" had not entirely disappeared as a factor in American life, and the prospect of an American-built, American-owned canal was bound to stimulate once more the desire for national expansion.

Reference has been made to the Clayton-Bulwer Treaty of 1850, to the treaty with New Granada which preceded it, and to that with Nicaragua which followed (see Chapter XL). In the New Granada Treaty the United States guaranteed the "perfect neutrality" of the Isthmus of Panama, and it also guaranteed to New Granada the rights of sovereignty and property which she had in the Isthmus. The Panama Railroad, built in 1855, was an American enterprise. The Clayton-Bulwer Treaty provided for joint British and American control of any canal which might be built between the Atlantic and the Pacific. In the third treaty, with Nicaragua, the United States acquired the right of way for a canal through Nicaragua, with the understanding that other nations would be associated in the agreement.

The Civil War, with its blockade-running, emphasized the need of an American naval station in the Caribbean, which Grant tried to secure in Santo Domingo, and in addition the desirability of easier communication with California. An Isthmian canal might answer both purposes. If, however, it was to serve as a substitute for a naval station, the plan of joint ownership and operation would hardly be feasible. After the Civil War therefore various presidents tried to secure the abrogation of the Clayton-Bulwer Treaty. Grant and Hayes both called for an American canal.

In 1878 a complication arose when a French company, headed by de Lesseps, the builder of the Suez Canal, got a concession from Colom-

bia, formerly New Granada, for a Panama canal. Under this concession, which expired in 1904, the company began work. In the United States, in both official and unofficial circles, there was pronounced opposition to this project. Some regarded it as a blow to the Monroe Doctrine, and all who were interested in the matter could see that it might mean the end of the hope for an American canal. Fortunately for the United States a combination of labor troubles, tropical disease, and financial corruption left the French company bankrupt, and put a complete stop to its work.

Blaine and Frelinghuysen, Secretaries of State, both tried to get around or to abrogate the Clayton-Bulwer Treaty, but to no purpose. Frelinghuysen in particular negotiated a treaty with Nicaragua providing for a canal to be built by the United States, and owned jointly by the two signatory powers. This document was still under consideration in the Senate when Cleveland became President, and he withdrew it, before it was ratified. There the matter rested until after the Spanish-American War. But the voyage of the *Oregon* around Cape Horn, a distance of 13,400 miles, demonstrated anew the need of a canal which would mean a saving of 8,800 miles.

CANAL NEGOTIATIONS

The State Department began negotiations with Great Britain looking toward the abrogation of the Clayton-Bulwer Treaty, and in December, 1901, the two powers came to an agreement, in the Hay-Pauncefote Treaty. This expressly abrogated the Clayton-Bulwer treaty, and gave to the United States sole power to build, operate, and control the proposed canal, and by implication the right to fortify it. In the agreement regarding joint control Great Britain had an asset of unusual value, and her officials could hardly be expected to surrender that out of sheer good will. The price which she demanded and received was Article III, Section 1 in the Hay-Pauncefote Treaty. "The canal shall be free and open to the vessels of commerce and of war of all nations observing these Rules, on terms of entire equality, so that there shall be no discrimination against any such nation . . . in respect of the conditions or charges of traffic, or otherwise." When this new document was duly ratified by the Senate, December 16, 1901, one obstacle was removed.

The next question of importance was to decide on the route. Both Panama and Nicaragua had their advocates, and Congress heard the

relative merits of each discussed for months. The Panama route offered certain advantages. It would have good natural harbors at both ends, while the proposed Nicaragua route would require artificial harbors at both ends. The Panama route was much shorter, forty miles as against a hundred seventy. This of course would mean a difference in the time required for a vessel to pass through the canal: twelve hours for the Panama route, thirty-three for Nicaragua. The estimated cost of completing the Panama Canal was $156,378,250, and $200,540,000 for the longer one. The Commission appointed to investigate the two routes at first recommended the Nicaragua route, because of the refusal of the bankrupt French company to sell its rights for a reasonable sum. Its concession would not expire until 1904, and it offered to sell to the United States for $109,141,500. When the United States proposed to build through Nicaragua, the French company reduced its price to $40,000,000, and the United States accepted.

With the route decided upon and the French company satisfied, the next step was to secure from Colombia the right of way through Panama. In January 1903, in the Hay-Herran Treaty, the United States agreed to pay Colombia $10,000,000 and in addition $250,000 annually, for control over a zone six miles in width. The United States Senate ratified this treaty in March, 1903, but the Colombian Congress refused to ratify. While it had the treaty under consideration, the Colombian government demanded $10,000,000 from the French company, and $15,000,000 additional from the United States. When these demands were refused, Colombia rejected the treaty.

According to Elihu Root, between 1898 and 1903 no congress met in Colombia, except the one which rejected the Hay-Herran Treaty, and it took no action on any other business. This one was carefully selected by the dictator, Maroquin, who determined to secure the highest possible price for his most valuable asset: the route for the canal.

THE PANAMA REVOLUTION

The action of the Colombian legislature aroused extraordinary excitement in Panama, and profound dissatisfaction in the Roosevelt administration. Prominent citizens from the Isthmus came to the United States for help, and the legal representative of the French company, M. Buneau-Varilla, became interested in the prospect of a revolution in Panama. For several months, in Panama and in the

United States, the revolutionists were at work, and their plans were an open secret to everybody at all interested. Roosevelt was heartily in sympathy with the proposed revolution. "Privately," he wrote to the editor of the *Review of Reviews*, on October 10, "I freely say to you that I should be delighted if Panama were an independent state, or if it made itself so at this moment; but for me to say so publicly would amount to an instigation of a revolt, and therefore I cannot say it."

But the President could so dispose certain naval forces of the United States that a revolution on the Isthmus would be successful, and he did so. On November 2, 1903, he ordered an American gunboat to the Isthmus, to keep the Panama Railroad open for traffic. On the next day, official Washington awaited news of the expected uprising. None came. At three forty p. m. the State Department sent the following despatch to the American consul at Panama: "Uprising on Isthmus reported. Keep Department promptly and fully informed." At eight fifteen the Department received the consul's reply. "No uprising yet. Reported will be in the night. Situation critical." At nine fifty a second despatch came in: "Uprising occurred to-night, six; no bloodshed . . . Government will be organized to-night." On the 4th the Panama Republic was proclaimed, and on November 6, Roosevelt recognized the independence of the new nation.

During the revolution the United States refused to allow the Panama Railroad to be used by either Colombian or Panaman forces, a neutral action of tremendous benefit to Panama, and the Colombian government was prevented from landing any reinforcements on the Isthmus. The United States did not instigate the Revolution, but it clearly made it impossible for Colombia to reestablish her authority over the rebellious state.

At the time of the Revolution the President was blamed for permitting the outbreak to take place, and the Colombian government held the United States responsible for the loss of Panama. Elihu Root insisted that the State of Panama, originally independent, had voluntarily joined the confederation known as the United States of Colombia, in which the individual states retained a liberal measure of local autonomy. In 1885 a dictator overthrew the constitution, and placed Panama under an arbitrary government. The people of Panama rebelled against this new government in 1885, and again in

1895, and in 1899. Root at least felt that they had ample cause to repudiate Colombian authority.

On November 18, 1903, an agreement between the United States and Panama, the Hay-Buneau-Varilla Treaty, was signed, by which the United States secured a perpetual lease and absolute administrative control of a canal zone, ten miles in width, and in addition the right to intervene in Panama at any time, if necessary, to preserve order. In return the United States agreed to pay $10,000,000, and after nine years, $250,000 annually as long as the treaty should last. This cleared away the last obstacle, and work was begun. The Canal was finally finished and opened for traffic in 1914, at a cost of $361,-874,861, well over the $200,000,000 original estimate.

Roosevelt always looked upon this work of making the Canal possible as one of his greatest achievements, and he had little sympathy with the critics, either in this country, or in Colombia. "To talk of Colombia as a responsible Power to be dealt with as we would deal with Holland or Belgium or Switzerland or Denmark," he wrote in 1915, "is a mere absurdity. The analogy is with a group of Sicilian or Calabrian bandits; with Villa and Carranza at this moment. You could no more make an agreement with the Colombian rulers than you could nail current jelly to a wall,—and the failure to nail current jelly to a wall is not due to the nail; it is due to the current jelly. I did my best to get them to act straight. Then I determined that I would do what ought to be done without regard to them. The people of Panama were a unit in desiring the Canal and in wishing to overthrow the rule of Colombia. If they had not revolted, I should have recommended Congress to take possession of the Isthmus by force of arms. . . . When they revolted, I promptly used the Navy to prevent the bandits, who had tried to hold us up, from spending months of futile bloodshed in conquering or endeavoring to conquer the Isthmus, to the lasting damage of the Isthmus, of us, and of the world. I did not consult Hay, or Root, or any one else as to what I did, because a council of war does not fight; and I intended to do the job once for all."

In 1908 in summarizing his achievements, Roosevelt made the following statement in a letter to a friend: "Then I took the Panama Canal. I do not think that any feat of quite such far-reaching importance has been to the credit of our country in recent years; and this I can say absolutely was my own work, and could not have been

accomplished save by me or by some man of my temperament." This exercise of executive authority brought results, concrete, tangible results. At the same time it aroused the suspicion and ill-will of certain sections of Latin-American public opinion, and likewise brought down upon Roosevelt's head the acrid criticism of those who measured these acts by abstract ethical standards.

"THE BIG STICK"

One of the guiding principles of Roosevelt's public career was, in his own words, "Speak softly, but carry a big stick." This adage he called into play particularly in dealing with matters involving the Monroe Doctrine. In 1901 Venezuela fell into trouble, on account of unpaid financial obligations. The governments of Germany, Italy, and Great Britain all prepared to collect their claims by force, and to this end Germany and Great Britain declared a "pacific" blockade of Venezuelan ports. Many of the claims were of doubtful validity at best, and the United States watched proceedings with peculiar care. Upon the establishment of the blockade Secretary Hay formally protested. Great Britain and Italy seemed inclined to come to a reasonable understanding, but Germany, the leader in the enterprise, behaved much as France had done in Mexico during the Civil War. In 1902 Great Britain and Germany declared a formal blockade, but the British authorities drew back when a clash with the United States seemed imminent.

Roosevelt had profound faith in the proper application of force. He collected the American navy in West Indian waters, and put Admiral Dewey in command. Every battleship and torpedo boat in the navy was there, and all together the fleet numbered about fifty vessels. Then Roosevelt had an interview with von Holleben, the German Ambassador, in which the President explained that the United States could not consent to a German occupation of Venezuela, and that the dispute should be submitted to arbitration. Roosevelt had no intention of permitting the Germans to found a colony near the Isthmus of Panama, and he told von Holleben that if the Kaiser did not offer to arbitrate within ten days, Dewey would start for Venezuela. When the German tried to argue the question, Roosevelt told him that he had laid the facts before him, not for argument, but for his information.

About a week later von Holleben came around for a call, and after

an aimless conversation about nothing, Roosevelt asked him what he had heard from Berlin. The Ambassador replied that he had heard nothing. Roosevelt then told him that there was no object in waiting the ten days, and that Dewey would start for Venezuela within forty-eight hours. But, he suggested, there was nothing on paper, and there was still time for the Kaiser to decide to arbitrate. Within thirty-six hours von Holleben reported that the dispute would be submitted to arbitration. All of these conversations had been kept secret; Roosevelt then wound up the comedy by publicly complimenting the Kaiser on his enthusiasm for arbitration, a joke, as the biographer of John Hay pleasantly records, that was relished far more keenly in Washington than in Berlin.

SANTO DOMINGO

If the smaller Latin-American countries could drift or plunge into indebtedness, and if they were protected from punishment by the United States, that government was compelled to assume a certain amount of responsibility for their good behavior. Unpaid or repudiated debts always tempted European intervention. By 1905 Santo Domingo was in danger of punishment; to ward it off, and at the same time to satisfy the creditors the United States established a sort of financial guardianship over the island government. The management of the customs revenues was put into the hands of an American official, who applied part of the proceeds to the wiping out of back debts. When the United States Senate objected to this new policy, and refused to ratify the treaty providing for it, Roosevelt announced that the plan would be put into effect by an executive order. The Senate might ratify when it got ready. That body eventually came around. In this way the Monroe Doctrine was given a new positive construction, which tended to keep the countries out of trouble with Europe. After the Panama Canal was completed, this arrangement for financial control was extended to other Latin-American states, then developed into a series of protectorates. Before Roosevelt's "second" term was well started the foundations of the modern Caribbean policy of the United States were firmly laid.

These proceedings were typical of the Roosevelt foreign policy. He had the capacity for seeing a problem through, from beginning to end, and he was possessed of a keen understanding of human nature. His words carried conviction, and his acts were decisive. Whatever

he did in foreign affairs, whether it was securing a right of way for the Canal, maneuvering Germany out of Venezuela, arranging for the Russo-Japanese peace conference at Portsmouth, or helping to bring about the Algeciras conference over Morocco, he did with a vigor that commanded respect.

CHAPTER LXIV

POLICIES AND POLITICS, 1904–1911

Roosevelt's activities as President made an interesting impression on the public. The people in general liked his cocksure convictions, and his touch of swagger; they admired his audacity in striking at the "trusts," and they even became interested, slightly of course, in the problem of foreign relations and policies. Under him the presidency acquired an element of the spectacular, and people turned to the Washington dispatches as they turned to the sporting pages, hoping for, and generally getting, some sort of thrill. The President had become "news."

Such at least was the attitude of a majority of Republicans. But the minority wing of the party was not happy. This element included the representatives of the business interests who could not forgive Roosevelt for experimenting with the Sherman Act, and for driving the anthracite operators into at least the semblance of decency. Roosevelt had carried some of his party with him on the road toward reform, but he left others far behind.

As early as 1903 the Republican Party began to reveal, not a break, but a line of cleavage, between the special privilege element and the public interest group. In 1904 and again in 1908 Roosevelt's own personal popularity and the absence of effective leadership opposed to him prevented the two groups from separating. "Mark" Hanna would have entered the field against Roosevelt in 1904, but he died in February, before the conventions were ready to meet. Left without a real candidate, the conservatives somewhat unwillingly followed the Roosevelt enthusiasts. When the Republican convention assembled, the President was unanimously nominated, by acclamation.

As usual, the Democrats were without a strong candidate. The party had tried Bryan twice, with less success the second time than the first; a third trial at that time seemed like poor strategy. The conservative Democrats had never approved of him, and they were gradually regaining their influence in the organization. With the Panic of '93 and the Morgan gold purchase ancient history, Cleve-

land became a possibility, and a fairly strong one in the West. Roosevelt looked upon the possibility of his nomination with considerable concern, fearing that he "would draw a great many votes both from the honest rich and the fool respectable classes." But Cleveland was passed over in favor of Judge Alton B. Parker of New York. According to one report, Parker was nominated to prevent the honor from going to William Randolph Hearst, a rising newspaper magnate, with a widely advertised interest in sensationalism and reform.

The contrast between the personalities of Roosevelt and Parker was as marked as the difference in their prospects. Parker was quiet and conservative, both in temperament and manner. Almost unknown outside of his own state, he lacked the qualities to make a successful appeal as a campaigner. Roosevelt's election was inevitable. The campaign was uneventful almost to the end, when Parker caused an unexpected diversion by publishing charges regarding Republican campaign funds. Picking out Cortelyou, the Republican campaign manager as his particular victim, Parker accused him of using information acquired in the Department of Commerce and Labor to blackmail the corporations. That the Republicans were being largely financed by the corporations was true; that Cortelyou was guilty of the practice charged was certainly never proven, and was probably untrue. Roosevelt had no objections to gifts made by "Big Business," provided they were made without thought of special favors in return. In fact, the President not only welcomed contributions, but asked for at least one, to finance the local campaign in New York.

The charges of an intimate connection between the Republicans and "Big Business" brought out nothing new, nothing that every well-informed voter did not know; they had therefore no influence on the final vote. Roosevelt's plurality over Parker was over two and a half million.

In Roosevelt's second term the theory of public interest as applied to corporations was given a more definite application. Additional anti-trust suits were brought, and suits were undertaken to punish corporations which had violated the law. The American Sugar Refining Company was convicted of evading the import duties on raw sugar; this fraud was made possible by tampering with the scales. The company paid something over four million dollars to the government, and several of the officials were convicted and punished.

The railroad problem had not been solved by the enactment of the Interstate Commerce Act of 1887; in fact because of unfavorable judicial decisions, the Commission had been practically throttled. In order to make both the Act and the Commission effective, Roosevelt called for legislation which would give the Commission power to decide what rates the roads should charge. In spite of the opposition of the interests affected, Congress finally—June, 1906—passed the Hepburn Act. This measure gave the Commission control of express and sleeping car companies, pipe lines, and terminals. Free passes, with few exceptions, were forbidden. Furthermore the Act provided for the introduction of new methods of accounting, in order to prevent the companies from concealing their corrupt methods. Finally the Act authorized the Commission to determine what rates the roads might charge.

Measures of this sort convinced the people—the Republican part of them—that the President was looking out for their interests. This belief was intensified by the careful attention to publicity regarding the conservation policy. As the western lands gradually filled up, it became apparent that hundreds of thousands of acres had been taken over by corporations, lumber companies or mining companies, so that the country as a whole was losing control of its remaining natural resources. In 1891 Congress had authorized the President to withdraw certain lands from entry, and by the end of Harrison's administration national forest reserves included 17,564,800 acres. Cleveland made a slight addition to this total, and McKinley increased it to 46,828,449. At the end of Roosevelt's presidency the reserves included 172,230,233 acres. Roosevelt's activities in the matter of conservation were stimulated and supported by Gifford Pinchot, the head of the forestry service.

In May, 1908 Roosevelt called the governors of the states to a Conservation Conference at the White House. The discussions there made it possible to work out a comprehensive program of conservation of forests, minerals, and water power. Shortly after the Conference, the President appointed a Conservation Commission, to make a thorough investigation of the whole problem. In spite of the opposition of Congress this body was able to present at least one valuable report regarding the natural resources.

During Roosevelt's administration the general prosperity of the country was interrupted only once, and then not seriously. The

Panic of 1907 was a "money" or "bankers" panic, but not a general industrial collapse. Banks which could not secure currency enough for their daily needs resorted to the device of clearing house certificates. In 1908 Congress attempted, in the Aldrich-Vreeland Act, to provide for the issue of emergency currency. In order to secure the information necessary for the inauguration of a general banking and currency reform, the national monetary commission was appointed, with Senator Nelson W. Aldrich as chairman.

The Panic was not entirely displeasing to the "Big Business" interests, because they could attribute it to Roosevelt's anti-trust policy, and use it to discredit him. The temporary depression brought considerable criticism upon him, but it did not weaken his hold on the party. It did, however, tend to widen the gap between the liberal and conservative wings of the Republican Party, and so helped to prepare for the break that came later.

As the end of the second term approached, observers could see that Roosevelt had wrought a remarkable change in the Republican Party. For years before his time it had been growing more conservative, more sympathetic with "Big Business," and more unsympathetic with those who wanted reform. With his anti-trust, railroad, and conservation policies, along with a number of individual reform measures, such as the Pure Food Law, and the Meat Inspection Act, Roosevelt had made the party into a genuine agency of reform. For this very reason the Populist movement dropped out of sight. The West found in Roosevelt the sort of leader that they liked, and the people there were contented as long as he remained in office.

In order to commit his party to another four years of his policies, Roosevelt was eager to select his own successor. He might have taken another term for himself. Numerous admirers wished him to do so, but Roosevelt declined the honor with characteristic vigor. "Most emphatically," he wrote in 1907, "I do not wish to run again for President." And at the end of May, 1908, he wrote, with reference to the nomination: "it seems to me that the proper ground to take is that any one who supposes that I have been scheming for it is not merely a fool, but shows himself to be a man of low morality. There has never been a moment when I could not have had the Republican nomination with practical unanimity by simply raising one finger. At this moment I am still actively engaged in getting delegates for

Taft . . . or in preventing delegates who have been instructed for Taft from declaring that they would go for me anyhow."

THE TAFT CAMPAIGN

William Howard Taft, Roosevelt's own selection, had been chairman of the Philippine Commission, first civil governor of the Philippines, and Secretary of War. Personally he was a genial man, likeable and courteous. He was well educated, with an excellent record as lawyer and judge. Of all the possibilities, including Charles Evans Hughes and Elihu Root, Taft appeared to Roosevelt as the most satisfactory heir.

When the convention met there was a good deal of enthusiasm, obviously of the made-to-order sort. There was no occasion for any real excitement, because Taft had more than enough delegates pledged to nominate him on the first ballot. Because of the bearing on the Convention of 1912, it may be worth noting that in making up the temporary roll, the National Committee passed upon contests involving 223 seats, mostly among Southern delegates. These decisions, made with Roosevelt's full approval, became a precedent. Roosevelt admitted using all of his available power to secure Taft's nomination.

The Republican platform contained adequate praise of the Roosevelt administration, and pledged the party to a continuance of the Roosevelt policies. For some reason the tariff was mentioned, and the platform pledged the party to a revision of the existing Dingley Act, to be carried through by a special session of Congress. "In all tariff legislation," the tariff plank continued, "the true principle of protection is best maintained by the imposition of such duties as will equal the difference between the cost of production at home and abroad, together with 'a reasonable profit' for American industries." A critic with a Mephistophelian turn of mind might have observed that in promising revision, nothing was said in the platform regarding the direction of the proposed change, whether it should be up or down. The candidate however interpreted the pledge to mean a reduction of rates, and went on record to that effect during the campaign.

In the Democratic camp Bryan had been restored to favor. Having lost more heavily without him than with him, his party was easily converted to a third candidacy. So carefully had Bryan done his

work in rebuilding his fences that on the very first ballot he received 892 votes out of a total of 1,008.

As the campaign drew on toward election day, it was plain that Bryan could not overcome his opponent's numerous advantages. The Republicans could point to a long record of constructive legislation, and to a list of accomplished reforms. Under Taft, the party planned to continue this work, and the voters were eager to see it go on. The total popular vote was nearly 15,000,000, and Taft had a plurality of over 1,200,000.

THE POLITICAL SITUATION, 1909

On the surface the election of Taft seemed to be a great Republican victory, but the Democratic Party was not beaten as badly as its candidate. All over the country the Democratic candidates for local offices made a good showing. In five states which gave Taft their electoral votes, Democratic governors were chosen. In other states the pluralities of the Republican governors-elect fell far behind that for the President. While the country preferred a Republican President, it was breaking away from party ties in local contests.

This situation was full of significance for the Republicans. Since 1903 the possibility had never been absent that the line of cleavage between the conservative and liberal elements would develop into an actual rupture. If such a separation should for any reason occur, the Democrats were in the best possible position to reap the full benefit of it. The new President was in a position not unlike that of a circus performer, riding two horses, with one foot on each; as long as he can keep them in parallel courses, he is in no serious danger.

The new administration came in apparently under the most favorable auspices. In general Taft was expected to be a sort of happy medium between McKinley and Roosevelt, with the strength of both, and the weakness of neither. Less agile than Roosevelt, both physically and mentally, he seemed to be the sort of man who would not "get on the nerves of sensitive people." Few presidents have had superior qualifications, in training, experience, and intellectual endowment. The very fact that a man of his attainments could be elected might have been interpreted as a tribute to the sound common sense and good judgment of the American nation.

To a careful observer, who could look underneath the surface, the

situation would have appeared far less satisfactory. Among the concealed causes of disturbance was the nature of a part of the Roosevelt following, which voted for Taft because he had the Roosevelt label. This element liked Roosevelt because he was Roosevelt. They wanted his policies and his manners continued. If Taft tried to proceed in a different manner, or in a different direction, he would encounter criticism from these adherents. Furthermore the President would in all probability have to choose between the liberal and conservative wing of his party, to get entirely on one horse or the other. Roosevelt could ride both successfully; Taft could not, and no matter which he chose, the other would become unmanageable. Perhaps the gravest difficulty of all came from the manner of his nomination. He was selected by Roosevelt, not by the people, and consequently the rank and file of the voters felt no responsibility for him. If things went well, the people would remain passively loyal; if things went badly, the people would repudiate him. As a matter of fact there was distrust of the President-elect weeks before his inauguration. The conservative Republicans were uncertain about him, because he was Roosevelt's choice, while the liberals doubted his "progressiveness." In looking back, it seems plain that his party was divided before he entered office, and because of that division he was foredoomed to failure.

THE ATTACK UPON TAFT

The war within the Republican Party opened when Taft announced the make-up of his Cabinet. Although the President-elect had never said so, there was a general expectation that he would continue the Roosevelt Cabinet. When it became known that only two of these were to be retained, the newspapers began to accuse Taft of bad faith and treachery, and the public drew its conclusions from these charges. The "Roosevelt policies"—considered by many the only measures of political justice and wisdom—were endangered.

In taking account of stock at the opening of the administration, the President found a number of issues demanding his attention. Some of these, railroad and trust control, forest reserves, and others, had been popularized by Roosevelt. Two others, currency and banking reform, and the tariff, Roosevelt had discreetly left to his successor. Concerning the first of these two Taft did nothing. The Aldrich Commission did not report until 1911; by that time the party

was split, Congress was in the hands of the opposition, and constructive action was out of the question.

THE PAYNE-ALDRICH TARIFF

The platform of 1908 had promised an extra session of Congress for tariff revision, and Taft himself had promised a reduction in the rates. Congress came together on March 15, 1909, and Payne, the chairman of the Committee of Ways and Means, had a series of recommendations all prepared. He proposed to make important additions to the free list, and to reduce the duties on a variety of manufactured goods. On a few articles the rates were increased. On April 9 the Payne Bill passed the House, 217–161.

In the Senate Aldrich had a substitute measure all drawn, which restored several articles to the dutied list, and restored the old level of the duties reduced in the Payne measure. Several Western Senators opposed the Aldrich Bill. As usual the differences had to be ironed out in conference, and on July 31, the resulting Payne-Aldrich Tariff was passed by the House, 195–183, and on August 5 by the Senate, 47–31. Taft signed the act.

Because of the length of the Payne-Aldrich measure—it makes up into a book of several hundred pages of fine print—and because of its complexity, only a highly trained expert can make very much out of the rates. One authority states that the general level of duties was increased by about one per cent, another that the average rate was somewhat lower. One thing was certain: it was not a genuine revision downward.

The measure provided for the creation of a Court of Customs Appeals, to hear and decide disputes between importers and appraisers, and it authorized the President to appoint a Tariff Board, or Commission, to study the economic aspects of the whole tariff system. In the course of a speech at Winona, Minnesota, September 17, Taft described the Payne-Aldrich Tariff as the best measure of its kind ever enacted in the United States.

Critics, in Congress and out, declared that the law violated the platform pledge and the candidate's promises, and even those who kept quiet did so with a feeling that Taft had failed to meet the test of real statesmanship. His defense of the measure furnished grounds for the second count in the indictment of him and of his administration.

THE MANN-ELKINS ACT

Although the tariff was the first subject taken up by Taft's first Congress, the President was not forgetful of the Roosevelt policies. Like his predecessor he was interested in railroad regulation. In spite of the Interstate Commerce Act and the Hepburn Act, the railroad problem was still acute. East of the Mississippi competition between the roads had disappeared. By means of a system of interlocking directorates the larger systems were brought under something akin to unified control. Many roads were poorly or dishonestly managed. On various lines service was poor, equipment was insufficient, and the political activities of the railroad directors were too obvious.

Taft's contribution to railroad reform was the Mann-Elkins Law, which aimed to expedite appeals from the Interstate Commerce Commission, and to increase the Commission's power. The Law created a Commerce Court, of five judges, whose sole business was to hear appeals from the Commission. The Commission itself was empowered to suspend newly announced rates for a period not over ten months, during which the need for the advance could be investigated. In beginning judicial proceedings against a railroad, the Commission was authorized to go ahead without waiting for the Attorney-General to bring action.

The attitude of the public toward this law and toward Roosevelt's Hepburn Act illustrates the difference between the two Presidents. Whenever Roosevelt put through any reform, he advertised his work so widely that everybody knew what he had done, and by so doing he increased his following and his popularity. Taft on the other hand did not understand the advantage of publicity, so his measures—except the bad ones—went unheralded. Consequently the people thought that the new President was doing nothing. Roosevelt turned the Hepburn Act into political capital; Taft made no effort to advertise the Mann-Elkins Law.

In his approach toward the "trust" problem Taft agreed with Roosevelt in looking upon the great aggregations of capital as the products of modern conditions, and in urging, not destruction, but regulation. Like Roosevelt, he made a distinction between "good" and "bad" trusts. As one possible remedy he urged voluntary federal incorporation, with proper publicity concerning methods. A

bill embodying his views was introduced in Congress, but it was never passed. After this failure, Taft contented himself with the enforcement of laws already in existence.

Again, like Roosevelt, Taft was interested in conservation. In 1909 Ballinger, his Secretary of the Interior, worked out a comprehensive program of legislation, covering the whole subject. In 1910, Taft laid the matter before Congress, and nine separate conservation bills were introduced. The more important measures made possible the separation of title to the surface from title to mineral resources beneath, and provided for the exploitation of the mineral wealth by lease, rather than by sale. All these measures were approved by the National Conservation Commission, and they all became law. This put the whole conservation policy on a solid legal footing.

The public had been kept fully informed of Roosevelt's progress in conservation, but probably not one voter out of a hundred ever heard of Taft's constructive work. On the other hand they were fully informed of the so-called "Ballinger scandal," and from this they concluded that Taft was an enemy of conservation. Just before leaving office, Roosevelt had withdrawn from entry about one and a half million acres of public land in Montana and Wyoming. Under the advice of Ballinger, who declared that the withdrawal was not justified by existing law, Taft cancelled the order.

Shortly after this charges were brought against Ballinger, declaring that he had had various corrupt relations with certain great mining and lumber companies, and the public got the impression that he was showing undue favoritism to these companies. Taft had appointed Ballinger largely on account of his excellent record as mayor of Seattle, Washington, an office to which he had been elected on a reform ticket. The President defended his Secretary, and a Congressional committee of investigation completely exonerated him. In the course of the controversy Gifford Pinchot, head of the forestry service, was dismissed for insubordination.

The conclusion drawn by the public was that Pinchot, the leading exponent of conservation, had been forced out, and that a corrupt Cabinet officer was retained, a conclusion which the facts available to the historian show to be unfounded. In spite of his constructive legislative program, Taft was supposed to be an enemy of conservation, to have abandoned one of the Roosevelt policies.

In addition to the laws concerning conservation and railroad con-

trol, Taft's first Congress established the postal savings banks, and the parcel post; it passed a law requiring the publication of all contributions to campaign funds, for the election of Congressmen. Both in quantity and in quality—aside from the Payne-Aldrich Tariff!—this legislative output would compare favorably with any period of the same length during the Roosevelt régime. All this, however, did not count. Taft had acquired the reputation of not being "progressive," and at that particular time "progressivism" was the sole measure of political wisdom and public virtue.

INSURGENT REPUBLICANISM

The "Progressive" movement was an outgrowth of the rift in the Republican Party already referred to, and of dissatisfaction with Taft's course as President. In Congress the dividing factor was the Payne-Aldrich Tariff. A number of Republicans had refused to vote for it; these were known henceforth as "Insurgents." On the conservative side—"stand-patters" as they were called—the leaders were Nelson W. Aldrich in the Senate and Speaker "Uncle Joe" Cannon in the House.

After the fight against the Payne-Aldrich Bill, the Insurgents turned their attention to the Speakership. According to prevailing custom the Speaker appointed all committees, named all their chairmen, imposed limits on debate and in general governed legislative procedure so completely that no member could even get the floor without a previous arrangement with this all-powerful dictator. In the regular session of 1909-1910, the Insurgents joined with the Democrats and broke the Speaker's power. In 1911, when the Democrats got control, they removed the few remaining attributes of authority which had survived the previous attack.

When the mid-term Congressional elections came on, the Republicans had every reason to be alarmed. Because of the Tariff, the Ballinger affair, and the vociferousness of the Insurgents, the conviction became general that Taft was bound hand and foot to the "predatory interests," and that he had become a hopeless "reactionary." Candidates for Congress, especially in the West, found it good policy to proclaim their hostility to Taft.

In September, 1910, Roosevelt returned from his African hunting trip and his European tour, the vacation which started soon after he retired from the presidency. Politicians and newspapers generally

focussed their attention upon him, wondering what his extraordinarily active mind would lead him to do next. There was not very much doubt. Perhaps the following bit of verse, published in *Life*, will show the general trend of some of these comments:

"Quick and hair-triggerous,
Joyous and vigorous,
Home from the niggerous African shore,
Bringing a zoo with him
Zebra and gnu with him,
What shall we do with him, our Theodore?

"What new renown for him?
Pick out a gown for him,
Buy up a crown for him, make him a king?
Make him an editor,
What, a competitor!
Who was it said it, or thought of the thing?

"No sweet manorial
Grave professorial,
Staid Senatorial honors will do.
Give him the stick again,
Freedom to kick again,
Raise the Old Nick again, whoop and hooroo!"

Roosevelt could no more have kept out of politics than he could have refrained from breathing. In New York he found Hughes running for governor on a platform calling for direct primaries. The ex-President supported Hughes, and opposed the "Old Guard." He did this too in spite of the fact that he believed Hughes was making a mistake in pushing the primary issue. In the course of this campaign Roosevelt wrote that he was "bitterly disappointed" with Taft. So were the voters.

In eight states, all normally Republican,[1] Democratic governors were elected, and in nine states the newly chosen legislatures would select Democratic Senators. The new Senate showed, on paper, fifty-one Republicans, and forty-one Democrats, but several of the Republicans were of the Insurgent variety. In the House the Republican majority of forty disappeared, and in its place was a Democratic majority of fifty-five.

[1] Maine, Massachusetts, Connecticut, New York, New Jersey, Ohio, North Dakota, Oregon.

Taft called this new Congress in special session in April 1911, to push his plan for Canadian reciprocity. Because this involved a break in the wall of protection the Democrats favored it, while the Republicans were lukewarm. Although the act passed Congress, it helped to strengthen the opposition to the President.

Finding themselves in control of Congress for the first time in sixteen years, the Democrats organized with Champ Clark of Missouri as Speaker, and Oscar W. Underwood of Alabama as Chairman of the Committee of Ways and Means. Clark was a picturesque figure, known for his ability to use "original and awe-inspiring profanity that made the alleged utterances of a Missouri mule driver sound in comparison like the prattling innocence of a lisping babe."

With Underwood in charge of the program the Democrats embarked upon a policy designed frankly "to put Taft in a hole." They passed three tariff reform bills, "pop-gun" bills their disgruntled opponents called them, which they knew the President would veto. Then of course they could pose as the friends of tariff reform, and hold the President up to scorn and ridicule as an opponent of tariff reduction.

These measures were the farmers' free list bill, the woolens bill, and the cotton schedule bill, each dealing with the supposedly more iniquitous features of the Payne-Aldrich Tariff. Taft did veto them, and by so doing furnished the Democrats with more capital for the coming presidential campaign. The National Progressive League was launched, to support LaFollette of Wisconsin as the candidate for all dissatisfied Republicans in 1912. Roosevelt cannily refused to commit himself so early. Naturally the Democrats watched these signs of rupture in the Republican ranks with joyous satisfaction. Unless something unexpected should happen, the Democratic hoodoo was about to disappear.

CHAPTER LXV

1912

By the winter of 1912, the Republican Party was badly divided. The "Progressives" were obsessed with the belief that Taft was the tool of the "predatory interests," and they would not consider him as a possible candidate for a second term. On that point they were united but they could not agree on any one to take his place. Western "Progressives" wanted LaFollette; eastern "Progressives" insisted upon Roosevelt; the "old guard" wanted Taft, and quietly went to work to secure delegates pledged to him. In the meantime, the Democrats watched the trouble in the camp of their rivals with the utmost satisfaction, because they saw in it much hope for themselves.

THE CALL FOR ROOSEVELT

As early as December, 1910, Roosevelt was considering the advisability of running again. In one way he did not care to do so, he said, but "circumstances might arise" which would make it "unpatriotic" of him to keep out of the race. A year later he was puzzled over his proper course. "Taft is utterly hopeless," he wrote, "an entirely unfit President." By January, 1912, Roosevelt assured his friends that he did not want the nomination, but that he would take it if the people really wanted him.

In order to find out how the voters felt about it, and to test the strength back of the demand for Roosevelt, he and his friends worked out an engaging piece of strategy. According to Harold Howland, of the *Outlook* staff, at an informal meeting in the *Outlook* office, Roosevelt and a few admirers wrote a letter, urging all who desired prosperity and progress to join in a demand for the nomination of Roosevelt. They did not publish this themselves, but had it published in the form of an appeal from seven governors. This appeal, signed by the seven, was sent out on February 10, 1912. The same group sent a letter to Roosevelt declaring that a majority of the party favored the nomination, and urging him to make a positive statement regarding his position.

On February 24, Roosevelt replied. "I will accept the nomination for President if it is tendered to me, and I will adhere to this decision until the convention has expressed its preference." He hoped that the people would be given an opportunity to make their desires known through the medium of the direct primary. His hat, as he expressed it, was in the ring. As a seasoned politician he knew that the chances were against him. "Do not get the idea into your head that I am going to win in this fight," he wrote on March 18th. "It was a fight that had to be made and there was no alternative to my making it."

During the winter and spring he made a number of speeches setting forth his "progressive" principles. These were conservation, an income tax, direct primaries, labor legislation, the popular recall of judges and of judicial decisions. Taken together, they made up his platform, which he called "the new nationalism."

After Roosevelt had decided to accept the nomination if it came to him, he promptly set out to win it, and the spring months were taken up with an undignified contest between the President and the ex-President. While the two rivals were touring the country in a rivalry of vituperation, their respective managers were pledging delegates. In good orthodox fashion the Taft leaders devoted their efforts to the southern states, the customary stronghold of the machine. Southern conventions, consisting largely of colored voters and office-holders, chose Taft delegates.

PRESIDENTIAL PRIMARIES

Roosevelt knew from experience what a hold the President had on the local organizations, and he knew that there was no hope for him in any appeal to them. His only chance of getting the nomination lay in the possibility of upsetting the machine. Consequently he urged the selection of delegates by the direct primary method. In twelve states [1] the delegates were chosen by this new method. Taft carried Massachusetts, while LaFollette carried Wisconsin and North Dakota; Roosevelt got the other nine.

Roosevelt naturally asserted that the voters wanted him. His opponents showed that in many of these primary elections the vote was small, often less than half of the combined Taft and Roosevelt vote the following November. In seven of the states only three

[1] California, Illinois, Maryland, Massachusetts, Nebraska, New Jersey, North Dakota, Ohio, Oregon, Pennsylvania, South Dakota, Wisconsin.

fifths of the voters took the trouble to go to the polls. The only safe conclusion was that Roosevelt was the choice of those who voted.

CONVENTION CONTESTS

The Republican convention met on June 18, in Chicago. Before the formal session opened, the National Committee gathered to decide the contests. Rival delegations had been named in Indiana, Michigan, Texas, and Washington, and there was a contest over one district in California. Besides these, which were genuine, contests were trumped up in nearly all the southern states. Out of a total of 1,078 seats, 210 were contested, although many of these were brought up simply for effect.

The southern Republicans were accorded representation in the Convention on the same basis as the states where the party was strong. For example South Carolina, which had given Taft fewer than 4,000 votes in 1908, had two more delegates than Connecticut, which had given him 112,815. This disgraceful system had been in existence ever since the process of disfranchising the negroes was completed, and, bad as it was, it had had the support of every Republican president. Certain suggestions in Roosevelt's letters make it appear that he had used these delegations in his efforts to nominate Taft in 1908.

In 1912 the Taft southern Republican delegations had the asset of regularity; the Roosevelt contestants lacked even that; there seemed to be no valid reason for turning out one crooked lot to make room for another equally crooked lot. At least the National Committee so felt, and in making up the temporary roll it gave the disputed seats to Taft. The next step was the election of a temporary chairman. Elihu Root, the Taft candidate for the place, received 558 votes, Francis E. McGovern, the "progressive" 501, with 19 scattering.

This was the second grievance of the Roosevelt men. They insisted that McGovern had been dishonestly deprived of the place, and that Root's position enabled him to swing the convention to Taft. When Root mounted the platform to take the chair he was greeted with hisses, cat-calls, and epithets, of which "receiver of stolen goods" was perhaps the least offensive.

The final decision regarding the contests rested with the Committee on Credentials, and it upheld the National Committee in practically every case. In his *History of the Presidency*, the late Edward Stan-

wood shows that out of the 210 contests, 108 had no foundation in fact, and that they were quietly dropped by the "progressives" themselves. The Committee on Credentials therefore had to pass on the 102 that remained. Of these 62 were from the southern states, and concerning 40 of these the Roosevelt forces accepted the Committee's decision without protest. That left 62, concerning which there was any possible room for genuine difference of opinion. Out of these, 36 went to Taft with no protest. The remaining 26 were really the only justifiable contests. Nearly all of these went to Taft, but even if they had all gone to Roosevelt, Root would still have been elected temporary chairman.

It took four days of lively, heated controversy to decide the contests. When the balloting finally started, on the first Taft got 561, and the nomination, Roosevelt, 107, La Follette, 41, Cummins 17, Hughes, 2, with 344 not voting. These last were all Roosevelt men who refused, as they said, to countenance fraud by taking part in dishonest proceedings.

Roosevelt himself published a scathing denunciation of the Taft majority. "Under the direction, and with the encouragement of Mr. Taft," he wrote, "the majority of the National Committee, by the so-called 'steam-roller' methods, and with scandalous disregard of every principle of elementary honesty and decency, stole eighty or ninety delegates, putting on the temporary roll-call a sufficient number of fraudulent delegates to defeat the legally expressed will of the people, and to substitute a dishonest for an honest majority." The nomination of Taft, he continued, "represents nothing but successful fraud in overriding the will of the rank and file of the party."

It is a difficult matter to make any statement concerning this famous controversy which both sides would accept. Taft had the organization with him, and with its help he got the nomination; that at least the Rooseveltians admit. But at that time, because direct primaries were held in so few states, and because of the small number of voters taking part in them, no one could really tell whether the "rank and file" of the party wanted Roosevelt or not. The November elections proved that they did, but that proof was wanting in June. Roosevelt's estimate of the number of delegates "stolen," made in the heat of the contest, was exaggerated. To the neutral observer, the charge of "theft" in any except perhaps the two California delegates seems rather strong. The party managers merely

followed time-honored methods. Bad as these were, they were no worse in 1912 than they had been in 1908; if Roosevelt had been on the winning side in 1912, he probably would have overlooked the defects in the system, as he had done four years earlier.

THE PROGRESSIVES

Be that as it may, after Taft's nomination was announced, the wrathful Roosevelt delegates, followed by an admiring and equally wrathful crowd, ostentatiously left the convention. Going over to another building, they prepared to give Roosevelt the "progressive" nomination. Roosevelt himself, however, advised them to go home, and find out the sentiment of their respective states. If this seemed to be strong enough to warrant a rival Republican ticket, they could call another convention.

On August 5, the Progressive Convention assembled at Chicago, with about 2,000 delegates. All the proceedings savored more of the evangelistic revival than of a political gathering. Professional politicians were conspicuously absent, and the enthusiastic crowd, new at the business of nominating a presidential candidate, worked off some of their lively enthusiasm by singing hymns. After nominating Roosevelt, they sang the Doxology before adjourning. To the Progressives themselves it appeared that the regeneration of the American people was at hand.

The Democrats felt the same way, only they, instead of the Progressives, were to be the agents in the regenerative process. For the first time since 1856 they were absolutely certain of victory. Candidates for the Democratic nomination were numerous, so much so that the party was not far from a split itself. Among the aspirants were Judson Harmon, governor of Ohio, a conservative, old line Democrat, untouched by any desire to regenerate anything. Then there was Underwood, the able floor-leader of the Democratic majority in Congress, another conservative, but not a reactionary. After him came Champ Clark, the Speaker of the House, a genuine stand-pat Democrat, less eager even than Harmon to usher in a new day. And mention should be made of Eugene Noble Foss of Massachusetts, equally at home in Republican or Democratic camp in his own state, as occasion seemed to demand. He at least took his candidacy seriously.

WOODROW WILSON

The other Democratic candidate was Governor Woodrow Wilson of New Jersey, former president of Princeton University. He was a product of the absolute, undeviating Democracy of the South. Born in Staunton, Virginia, in 1856, he was brought up in Georgia and South Carolina. In 1874 he entered Davidson College, North Carolina, but before he had completed his Freshman year a nervous breakdown compelled him to return home. By the following fall, 1875, he had recovered sufficiently to go back to his studies, but instead of returning to Davidson, he entered Princeton. After being graduated there he went to the University of Virginia to study law; there his work was interrupted by another breakdown. Later he got his law degree, and with another impecunious, clientless graduate, he opened an office for the general practice of the law in Atlanta, Georgia.

But Wilson was more interested in political theory than in law, and instead of reading Blackstone he spent the spare time which tortures every young lawyer in working out an analysis of the American system of government. This he found very entertaining, but not profitable. Then he fell in love. Neither his law practice nor his uncompleted book held out the promise of an income large enough to support a wife, so he went to Johns Hopkins, to prepare for teaching. By 1885, with a dissertation on Congressional Government, he was ready for his Ph. D. This brought him an appointment as Associate Professor of History and Political Science at Bryn Mawr, and the appointment in turn enabled him to marry. In 1888 he went to Wesleyan University at Middletown, Connecticut, as Professor of History, and in 1890 to Princeton, as Professor of Jurisprudence. In 1902 he was made president of that institution.

Almost at once he embarked upon a career of reform. The standard was raised, the lazy students were dropped, and faculty members were goaded into a revision of their time-honored courses. "Some day I predict with great confidence," he asserted, "there will be an enthusiasm for learning in Princeton." To stimulate that enthusiasm he fought the undergraduate clubs, and introduced his preceptorial system, designed to impel the students along the arduous road of education.

Princeton, or some of it, reacted toward this uplift campaign much

as a child reacts to a dose of bitter medicine. Students complained because they had to work; faculty members objected to spending extra time on courses that they had already worked out; alumni were horrified at the idea, as one of them put it, of changing "the dear old college into a damned institution of learning." As for the trustees, they resented the attempt of their president to dictate to them with reference to financial policy. In 1910 matters came to a crisis, when it became known that certain large gifts for a new graduate school would be withheld unless Dean West were given full control of them. This seemed like an indefensible attack upon Wilson's prerogatives as president, and he resigned.

For Wilson, retirement from the academic circle did not mean withdrawal from the world. To the surprise of friends and enemies alike he suddenly plunged into an active campaign for the governorship of New Jersey. Preparations for this new venture had been under way for some time. As early as 1906, Colonel George Harvey, then the editor of *Harper's Weekly* and the *North American Review*, had become interested in Wilson as a presidential possibility. Conservative Democrats—the versatile Harvey was a Democrat then—had become dissatisfied with the leadership of Bryan. They wanted a leader who could command their admiration, and win votes. Harvey felt that Wilson was the man, and in 1908 he tried to launch a Wilson boom. Through his journalistic connections he was able to secure a certain amount of newspaper support in the South and West, while he converted the *New York World* to his cause. Harvey himself wrote the editorial for the *World*, in which that paper announced its advocacy of Wilson. But outside of academic circles the Princeton president was almost unknown, and his candidacy failed.

In 1910 the promise of a Republican schism brought renewed hope to the Democrats; it was becoming more apparent that the Democratic nominee would be the next president. Harvey redoubled his efforts. Realizing that the failure in 1908 had been due to his candidate's lack of political prestige, he determined to advertise him by giving him a course in practical statecraft in New Jersey.

Harvey happened to be well acquainted with James Smith, the Democratic boss of New Jersey, the man who controlled the whole organization in the state. If he could be induced to give Wilson the place at the head of the state ticket, Wilson could be trusted to make himself famous. The New Jersey Democratic Convention was

scheduled to meet in September, 1910, and in the preceding spring Harvey bluntly asked Smith to nominate Wilson. Being a trained man, Smith parried the request by asking what the terms of the arrangement would be. Harvey had to reply that his proposed candidate would refuse to make any bargain.

In the Summer of 1910 Harvey learned that Colonel Henry Watterson of the *Louisville Courier-Journal* was to be in New York over a week-end, and he determined to get Wilson, Smith, and Watterson together at his house, and settle the business. Watterson agreed, and Smith agreed, but Wilson went off on a motor trip. Harvey went after him, and brought him back. Wilson finally agreed to accept the nomination, provided it came to him without any bargain or any promises on his part.

While Smith was pledging delegates to Wilson, the prospective candidate himself was talking the platform over, as usual, with Harvey. When the convention met, one of Smith's agents duly presented Wilson's name as the candidate for governor. But his nomination from that source alarmed the "progressive" Democrats, under the leadership of Joseph P. Tumulty and others. They were trying to reform the state, and at first they refused to consider any nominee of the Smith-Nugent machine. When it appeared that the reformers were strong enough to cause trouble, Wilson himself was brought over to the convention, and allowed to make a speech. Upon assurances that he was in no way tied to the reactionary group, he received the nomination. Then he resigned from Princeton.

In the election he had the support of "insurgent" Republicans as well as that of both wings of his own party. As a result, he carried New Jersey by 49,000 votes, a state which had given Taft 82,000 only two years before. In the legislature the Senate was Republican, and although the House was Democratic, the majority looked to Smith rather than to Wilson for leadership. But when the party chieftains came together to work out a legislative program, the governor expressed a desire to be present. He not only came, but he took charge, and then he had the satisfaction of seeing his reform measures go through the legislature.

Harvey's hopes appeared to be justified. The new governor convinced the state that, far from being a mere academic recluse he was a skillful politician able to meet the professionals on their own ground and to put them in leading strings. Various newspapers began to

refer to him as a promising presidential candidate. Down to December, 1911, Harvey continued to work for him, and then the relations between the two men were suddenly brought to an end. Wilson felt that Harvey's activities in his behalf were hurting his presidential prospects, a fact which he took occasion bluntly to impress upon the zealous editor. For the rest of the preconvention campaign Harvey supported Champ Clark.

During the early months of 1912 all the Democratic possibilities were out hunting for delegates. In the primaries Clark had the advantage, but the Democratic primaries were even less satisfactory and conclusive than the Republican. But he was more successful in pledging delegates than the others and when the convention opened he had a majority, though not the necessary two thirds.

Wilson found it difficult to make headway against the regular Democratic organizations, all of which had either a favorite son or a favorite candidate. But with the help of Colonel E. M. House and of Albert S. Burleson of Texas, he secured the delegation of that state, while Josephus Daniels, a North Carolina journalist, gave him the delegation from his state. William F. McCombs, an enthusiastic admirer, had taken Harvey's place as unofficial general manager; he helped to secure other delegates, from New England, Pennsylvania, and elsewhere, and of course Wilson had New Jersey. Altogether he could count upon about 300 sure delegates when the convention assembled.

THE DEMOCRATIC CONVENTION

Bryan was not a candidate in 1912, but he still had such a hold upon his party that he was in a position to give or to withhold the nomination. As a reformer Wilson might well be expected to meet with Bryan's approval, and Colonel House tried to bring the two men together. Plans were all made for a love feast at the annual Jackson day dinner. At that point Adrian H. Joline, one of Wilson's bitter opponents on the board of Princeton trustees, tried to wreck the whole plan. Two days before the dinner, he published a letter written by Wilson in 1907, expressing the pious wish that "somehow we may knock Mr. Bryan into a cocked hat." But Mr. Bryan had a forgiving disposition, and he greeted Governor Wilson with unusual enthusiasm.

The Democratic convention met at Baltimore on June 25. This proved to be the longest and the most dramatic of any Democratic gathering held since 1860, not excepting even the great silver conven-

tion of 1896. At the very beginning the conservative and progressive wings of the party plunged into an angry fracas over the temporary officers. The conservatives wanted Alton B. Parker, their standard-bearer of 1904. Bryan entered vigorous objections to him, and barely failed in his effort to put in a progressive. On the second day of the convention Bryan introduced a series of resolutions the adoption of which would commit the party to "progressivism" and reform. With one important omission these were passed.

There were 1,092 delegates in the convention, and under Democratic rules 728 votes were necessary for a choice. On the first ballot Clark had 440, Wilson 324, Harmon, 148, Underwood, 117, with a number of scattering ones. The Massachusetts delegation distinguished itself for its loyalty to Eugene N. Foss. The balloting started on June 28, and it lasted until July 2. At one stage of the proceedings Clark secured a majority, but the best efforts of his managers could not bring him within sight of the necessary two thirds. The ballots were taken amidst scenes of tremendous excitement. Not even the convention of 1896 had been more noisy. Finally Bryan decided to throw his influence to Wilson, and that meant success. On the forty-sixth ballot Wilson received 990 votes, more than enough to give him the prize.

Clark very properly held Bryan responsible for his defeat, and thenceforth the mere mention of Bryan's name threw him into a rage. "When I get ready to hang the skin of that skunk on the fence and shoot it full of holes," he is reported to have remarked, apropos of Bryan, "it will not be in a casual interview." Some have gone so far as to say that the defeat of Clark was the one great service that Bryan has performed for his country. Clark's was not the only heart broken by the outcome of the great struggle. Over in Princeton, according to a campaign story, a visitor is said to have found Dean West pacing up and down the floor, exclaiming, "My God, I've made Wilson President!"

So great was the excitement during the campaign that many of the voters were blinded to the certainty of Wilson's election. Some actually discussed the prospects of Taft or Roosevelt as though one or the other had a chance. But the "old guard" and the "progressives" were so nearly even that they nullified each other thereby throwing the election to the Democrats. The total popular vote was 14,937,351, divided as follows: Wilson 6,293,019; Roosevelt 4,119,507;

Taft 3,484,956. Of the electoral votes Wilson received 435, Roosevelt, 88, and Taft, 8. The combined Taft and Roosevelt vote was smaller than Taft's vote in 1908; apparently a number of Republicans voted for Wilson. Wilson was a "minority" president, in the sense that his opponents together polled a larger vote than his. The Republican split which caused this gave the Democrats a majority of 144 in the House of Representatives, and of 6 in the Senate. No party ever had a better chance to show what it could do in constructive legislation.

CHAPTER LXVI

PRESIDENT WILSON

After the November election the whole country looked forward to the approaching inauguration with unusual interest. Wilson was the first Democrat to win a presidential contest since Cleveland's time; this in itself was enough to attract the attention of professional politicians and laymen alike. What would the new incumbent do with the office? Those who had followed his career as president of Princeton and as governor of New Jersey confidently prophesied reform. Wilson was given to upsetting traditions, they insisted, and the federal government seemed to offer peculiarly favorable opportunities to a reformer. In various parts of the United States there was a lively demand for change. The large Roosevelt vote was in part at least an index to the strength of the desire for it among the Republicans, while the very nomination of Wilson was proof of a similar desire among the Democrats. Roosevelt had given publicity to reform, and so made it popular. Taft had ignored publicity, and was accused of deserting the cause of reform. Some voters in both parties expected Wilson merely to continue the Roosevelt tradition; some others hoped that the former professor would apply the methods of the intellect rather than of the brass band to reform, and so accomplish even more than Roosevelt.

THE WILSON PROGRAM

Except among the "stand-patters" there was a general agreement that the country needed something; those who prided themselves on maintaining a scientific accuracy in their observations might have said that the something was adjustment instead of reform. The label, however, amounted to little. The people were feeling a steady tightening of the pressure of "Big Business." The corporations, organized wealth, the "trusts," were exercising too much uncontrolled power over the life of the ordinary individuals, and over the government. Preceding presidents, some of them, had called attention to the evils; Wilson was expected to remove them.

Wilson himself was a reformer, in sympathy with the desires, expressed and unexpressed, of the rural South and West, and very much out of sympathy with the highly industrialized East. As a reformer he had a clear perception of his duty as President. He must formulate policies, drive them through Congress, and then assume full responsibility for them before the country at large. Like Jefferson, he would leap over the barrier which was supposed to separate the executive from the legislature, and tell that body what to do.

But the President was not untrammeled in his work. Nearly sixty per cent of the voters in 1912 had expressed a desire for some one else as their chief executive; if he so managed matters that this sixty per cent should unite against him, his program would certainly fail. As a part of his duty therefore he tried to build up a large personal following throughout the country, as Jefferson, Jackson, and Lincoln had done, a following to which he might appeal in case Congress should prove refractory.

Neither Wilson nor any one else could tell what Congress might or might not do. The members of that body are sometimes as temperamental as a lot of professional ball players, and as insistent upon their prerogatives as an absolute monarch. Wilson set out to make himself at one and the same time the director of Congress and the guide of public opinion.

In organizing his Cabinet the new President showed due regard to the necessities of his position. If he was to lead his party to triumph he must have the support, in Congress and out, of the Bryan following. Bryan became Secretary of State. This appointment was both a reward for services rendered and a bid for future help. The Treasury went to William G. McAdoo, whose political services had not been unimportant. Preceding presidents had established the precedent of giving the Post Office department to a clever manipulator of the patronage; for this post Wilson named Burleson of Texas. The Navy went to Josephus Daniels of North Carolina, for delegates secured and held before and during the Baltimore convention. For some reason Wilson was bitterly criticised for allowing matters of political strategy to influence the make-up of the Cabinet. The only president who did things differently was John Quincy Adams, and his experiment was a dismal failure. Under the present system no president can ignore politics, something which Wilson, as a student of government, knew as well as did his Postmaster-general.

Thanks to the party overturn in the elections of 1910, the Wilson administration was peculiarly fortunate in the matter of the patronage. For two years the Senate had been anti-Taft, and Taft appointments had not been confirmed. These had accumulated so that by March 4, 1913, there were 2,500 places to be filled. These were distributed in such a way as to do the new President the most good, and to bring about party solidarity. The fortunate use of the patronage therefore gave Wilson the whip hand in driving Congress.

In his inaugural Wilson proclaimed the ideals which would govern his administration. "Our duty is to cleanse, to reconsider, to restore, to correct the evil without impairing the good, to purify and harmonize every process of our common life without weakening or sentimentalizing it. . . . We have made up our minds to square every process of our national life again with the standards we so proudly set up at the beginning and have always carried at our hearts. Our work is a work of restoration. . . . The feelings with which we face this new age of right and opportunity sweep across our heartstrings like some air out of God's own presence, where justice and mercy are reconciled, and the judge and the brother are one. . . .

"This is not a day of triumph; it is a day of dedication. Here muster not the forces of party but the forces of humanity. Men's hearts wait upon us; men's lives hang in the balance; men's hopes call upon us to say what we will do. Who shall live up to the great trust? Who dares fail to try? I summon all honest, all patriotic, all forward-looking men to my side. God helping me, I will not fail them, if they will but counsel and sustain me." This perhaps was a bit tenuous; there were, however, more specific suggestions, calling for a revision of the tariff, the establishment of a new banking system, and the reform of the industrial system.

TARIFF REFORM

Undeterred by Taft's luckless venture in tariff reform Wilson called Congress in special session to take up the very same problem. In an address dealing with that subject the President informed Congress that: "We must abolish everything that bears even the semblance of privilege or of any kind of artificial advantage and put our business men and producers under the stimulation of a constant necessity to be efficient, economical, enterprising, masters of competitive supremacy, better workers and merchants than any in the world."

Under the direction of Representative Underwood, Chairman of the Committee of Ways and Means, the new tariff was completed before the end of April, 1913. It either reduced or dropped entirely the duties on food-stuffs, clothing, and raw materials. The rates on cotton goods for example were cut fifty per cent, those on woolens more than fifty. In case the rate on any given commodity proved to be so low as to encourage the "dumping" of European goods in American markets, the bill provided for special rates to ward off the danger. Absolute freedom of trade between the Philippines and the United States was granted. Because the changes were certain to diminish revenue, Congress provided for a graduated income tax, as permitted under the new Sixteenth Amendment, to make up the loss.

This Underwood Act was the first genuine tariff reform measure enacted after the Civil War, and there was widespread interest in its operation. In New England the textile interests felt that they were ill-used, and during 1913 and 1914 there were numerous signs of industrial depression. Whether this was due to fear or to tariff was an open question. But opportunity for a fair test of the Underwood measure was wanting because the outbreak of the Great War in the summer of 1914 altered completely the industrial situation.

THE FEDERAL RESERVE ACT

In approaching the problem of currency and banking reform the Wilson administration was able to take full advantage of a vast amount of preliminary work done by the Republicans. In 1907, Congress had appointed a national monetary commission, with Senator Aldrich of Rhode Island as Chairman. This body made an intensive study of banking systems, both at home and abroad, and in 1912, it submitted a report, in several large printed volumes. But in 1912, President Taft and Congress were so hopelessly at odds that constructive legislation had become impossible.

There were two main difficulties to be remedied. The banks had never worked out any satisfactory plan whereby their reserves could be pooled in case of emergency. Consequently, as in the Panic of 1907, banks which were thoroughly safe and solvent were forced to the wall, simply because they could not get help to tide them over a temporary shortage of cash. Then the bank note system was unsatisfactory. Designed in 1863 as part of a plan for marketing government bonds, the system had lived on because no one had dared to

tamper with it. No one denied that the notes were adequately secured, but the business world needed elasticity as well as security.

The Owen-Glass Federal Reserve Act was designed to remove these weaknesses. It aimed to reorganize the banking resources of the country so that any one bank would be protected against extraordinary demands, and at the same time to provide a bank note currency which could expand and contract in response to business needs. The measure created twelve regional Federal Reserve Banks, one in what was supposed to be the financial center of each business district. All national banks were compelled to join the Federal Reserve System, while state banks and trust companies were permitted to do so if they desired. These Reserve Banks deal only with member banks, and with the Federal Treasury, not with individuals. They receive deposits from the government, and from member banks. Each member is required to keep in the Reserve Bank from one-half to two-thirds of its legal reserve. The Reserve Banks therefore become reservoirs, the resources of which are open to member banks in any part of the country.

The Reserve Banks are allowed to issue Federal Reserve notes, secured partly by gold,—forty per cent of the value of the notes outstanding—partly by commercial paper deposited by the members with the Reserve Banks. No Reserve Bank may pay out any notes except its own, so the notes are constantly coming back to the bank of issue. In case the volume of business demands more notes, they are easily available because there is more commercial paper to serve as partial security.

To manage the system the Act created a Federal Reserve Board, consisting of the Secretary of the Treasury and the Comptroller of the Currency, with five other members.

The system was in process of organization at the outbreak of the war in 1914. The remaining work was hurriedly completed. No institution has ever been subjected to a heavier strain than that immediately thrust upon the Federal Reserve System, and financial experts feel that it saved the country from an appalling commercial crash. Some have gone so far as to say that the enactment of the Federal Reserve Law is the greatest piece of constructive legislation put through at any time since the Civil War.

ANTI-TRUST LEGISLATION

In dealing with the third great problem, that of the "trusts," this Wilsonian Congress passed two measures. One, the Clayton Anti-Trust Act, was designed to supplement the original Anti-Trust Act by specifying certain practices which the courts would not permit. The measure prohibited discrimination in prices where the effect would be the diminution of competition or the creation of a monopoly, and it prohibited interlocking directorates. Another part of the law was designed to help organized labor in its contest with organized capital. To this end injunctions were forbidden in labor disputes, unless they were necessary to prevent irreparable injury to property rights, while strikes and picketing were declared permissible under federal law. Labor unions were exempted from the operation of anti-trust laws.

At the same time another law created a Federal Trade Commission of five members, with power to investigate the affairs of corporations engaged in interstate business, and to order readjustments in the methods and practices of concerns which were violating the anti-trust laws. With the help of this Commission it was felt that the industrial corporations could be brought under control similar to that exercised by the Interstate Commerce Commission over the railroads.

The successful completion of Wilson's first legislative program established his reputation as a reformer of the first rank. Democrats all over the country were jubilant at his showing, and justly so, for they had found a leader who could drive Congress. Progressives—apart from the unconvertible Rooseveltians—were ready to turn to Wilson as the safest guide to the better order. And even Republicans were compelled to admit that "Doctor Wilson" had an uncanny insight into practical politics. Had no other problems arisen, Wilson's ability to secure legislation would almost certainly have influenced enough of the sixty per cent opposition to produce a genuine Democratic majority.

THE MEXICAN TANGLE

Unfortunately for everybody as well as for Wilson, problems outside the range of domestic matters began to press for solution. Among these was Mexico. Down to 1911 that turbulent republic had enjoyed a fairly long period of calm, contrasting strangely with its

earlier history. Between 1821, when she became independent, and 1876, Mexico had enjoyed the rule of eighty presidents of one sort or another, generally projected into office by means of revolution. With the advent of Porfirio Diaz all this was changed. From 1876 to 1880, and again from 1884 to 1911 this hard-headed autocrat ruled Mexico as she had not been ruled since her separation from the Spanish empire. Diaz was tyrannical and corrupt, with no conception of the meaning of democracy. Under him popular government ceased to exist, the constitution was disregarded at will, elections were farces, and public opinion—if there was any such thing in Mexico—was stifled. According to the theory of the American Declaration of Independence Diaz was a despot and his government was a crime.

Under him Mexico was at peace, a school system was established, and active beginnings were made in the development of the country's resources. Mexico is potentially one of the richest nations in the world, but the country had neither the capital nor the trained skill to take advantage of its opportunities. With a government strong enough to guarantee protection to business men, Diaz offered liberal inducements, in the form of concessions, to foreigners who could exploit the various forms of wealth. The opportunity for large profits drew thousands of foreigners there, British, French, German, and American, and foreign capital was heavily invested. Under this system the land and its resources was passing rapidly into the hands of outsiders, who used the proceeds for their own benefit.

Of the Mexicans themselves, probably seventy per cent consisted of uncivilized—possibly uncivilizable—Indians, poor, ignorant, as lacking in political sense as they were in this world's goods. Thousands were peons, no better off than medieval serfs. This class, the bulk of the population, had little to lose, and no particular interest in preserving order. Revolutions varied the monotony of their drab existence.

In 1910 Diaz was up for reëlection, and a young reformer named Madero had the temerity to run on an opposition ticket. Diaz controlled all the machinery, so his election was a matter of course. Madero thereupon started a revolt, and in 1911 Diaz resigned. Madero was chosen president. In February, a new revolution was started, under the leadership of General Huerta. On the 18th, the general became provisional president, and five days later Madero was shot. Madero was in the custody of some of Huerta's officials, and

Huerta's opponents held the latter responsible for the murder. The Maderist faction began a civil war against Huerta, and two leaders in particular, Carranza and Villa, kept up a lively warfare in the north. Such was the situation when Wilson was inaugurated.

In the course of these overturns in Mexico foreign investments and foreign residents suffered, with loss of property and loss of life. The situation was critical, and the various European governments made no attempt to conceal their desire to intervene. Following custom and long-established precedent, they recognized as the *de facto* ruler the official who happened to hold Mexico City, without investigating the methods he had used to secure control.

President Wilson had no sympathy with these foreigners in Mexico, and in this respect he put the Americans down there in the same category with the rest. If they wanted to take their chances in Mexico, very well, but they should realize that the chances were their own private affairs, and not the concern of their government. He saw no reason why the army and navy should be used to protect these outsiders against Mexican disturbances. It was not his business to make Mexico behave herself.

Up to this point the American public had no difficulty in following Wilson's reasoning; they could at least understand him, even if some of them disagreed with him. But when Wilson violated all the traditions of Latin-American diplomacy and refused to recognize Huerta, the American public became puzzled. His attitude toward the Mexican revolutionist, as he carefully explained, was due to Huerta's responsibility for the fate of Madero, to his refusal to hold a genuine election, and to his obvious inability to control all parts of the country. "We can have no sympathy with those who seek to seize the power of government to advance their own personal interests or ambition. We dare not turn from the principle that morality and not expediency is the thing that is to guide us," he declared. The President's persistence in going behind the scenes in Mexico seemed unnecessary to many of his fellow countrymen, absurd to the Europeans, and insulting to Huerta. All three parties made their attitude plain.

Deprived of the advantages of regular diplomatic machinery by his refusal to recognize Huerta, Wilson carried on negotiations through personal agents. In August, 1913, through John Lind, he advised Huerta to call off all hostilities, to declare a general amnesty, and to

call a presidential election. In this election, Wilson insisted, Huerta must not be a candidate. When Huerta somewhat contemptuously declined to make Wilson his father confessor and guide in Mexican affairs, the American President settled down to the policy which he described as "watchful waiting."

In the early spring of 1914, Wilson departed far enough from his waiting policy to remove the embargo on arms, for the benefit of Carranza, thereby incurring more criticism. Why, the dissatisfied ones asked, show favors to Carranza, and deny them to Huerta? Perhaps the answer was to be found in Carranza's manner. He posed as a democrat, and called himself "the first chief." Huerta consumed whiskey, and called himself president. Early in April the Carranza forces carried the fighting into the oil fields around Tampico, thereby making more trouble for Huerta.

On April 10 some American bluejackets landed at Tampico for gasoline and oil, and were promptly arrested by some of Huerta's officers. The dictator himself ordered the men released, and expressed regret. But Admiral Mayo demanded an additional apology in the form of a salute to the United States flag. Huerta refused to comply, and Wilson upheld Admiral Mayo. There is no doubt that Wilson made a tactical blunder here. Huerta had nothing to gain by complying with the demand, and he could add tremendously to his popularity at home by defying the United States.

It was soon apparent that "watchful waiting" was to be abandoned. On April 21, American forces occupied Vera Cruz, and everyone felt that war with Mexico had come. Even Carranza, the beneficiary of "watchful waiting," protested against the change in policy. But war was averted through the mediation of three South American powers: Argentina, Brazil, and Chile.

After a series of negotiations, in which Carranza figured none too creditably, Huerta resigned and went to Europe. A month later, August, 1914, the "first chief" entered Mexico City in triumph. In November the United States evacuated Vera Cruz. But Carranza was not allowed to enjoy his triumph undisturbed. His erstwhile ally, Francisco Villa, could not endure the thought of settling down, so he began a new revolution on his own account. By June, 1915, the entire northern section of Mexico had been made desolate, and the people were starving. Carranza was no more able to assert his authority there than Huerta had been. In spite of his weakness,

and of his unbearable insolence in his dealings with the United States, this government, along with eight Latin-American republics, decided to recognize his government. In October, 1915, diplomatic relations were resumed.

The critics of the administration could not see in what respect Carranza was superior to Huerta, and they argued that if Wilson was going to recognize an irresponsible dictator anyway, he might have recognized Huerta in 1913 and so saved himself and Mexico endless trouble.

On March 9, 1916, Villa distinguished himself by crossing the Rio Grande, and plundering Columbus, New Mexico, destroying property and killing American citizens in the course of his raid. On the next day President Wilson ordered American troops into Mexico, to "aid" the Carranza government and to capture the bandit chief. The invasion began on March 15, and the Americans penetrated Mexican territory to the extent of 400 miles.

Unable to keep order or to suppress the bandits himself, Carranza had no intention of letting the United States do the work for him. He protested against the presence of the American forces, and insisted that they be withdrawn. While Carranza was vainly gesticulating in his efforts to get the American troops out, Villa unexpectedly appeared in Texas, for a new raid. A second punitive expedition pursued him for 168 miles, without results. By that time the situation was so serious that Wilson called out the militia, and sent troops to the border. For the next six months Wilson and Carranza indulged in a game of diplomatic fencing, in which on "points" the bewhiskered Mexican had the better of the contest. In January, 1917, the American troops were withdrawn, with Villa still at large.

COLOMBIA

In addition to the Mexican tangle Wilson inherited the ill will of Colombia, due to Roosevelt's canal policy. Colombia accused the United States of depriving her of money which might have been hers, to the extent of $50,146,942, and of the province of Panama, of incalculable value. Root had vainly tried to restore cordial relations between the two governments, but Colombian bitterness was proof against his efforts. After Bryan became Secretary of State, a treaty was drawn up and signed by the two governments, with the following provisions. The United States expressed regret for anything which

had occurred to interrupt friendly relations, agreed to pay Colombia $25,000,000, and gave the Colombians preferential privileges in the use of the canal. On her part Colombia agreed to recognize the independence of Panama. This was submitted to the Senate on June 16, 1914. It was finally reported out of the Senate Committee on Foreign Relations in 1919, with Article I, the expression of regret, eliminated. At the time the Senate refused to ratify. In the Harding administration, the Senate finally ratified a Colombian treaty, providing for a payment of $25,000,000. During the debates in the Senate, much was said about the desirability of securing the good will of Colombia, in order that American petroleum interests might secure concessions there. If these discussions may be taken as a guide, the financial settlement had little relation to the Panama Canal.

CANAL TOLLS

Wilson was more successful in dealing with the issue of Panama Canal Tolls. In 1912, Congress provided for a charge of $1.25 per ton, on foreign and American vessels alike, with the exception of vessels engaged in the coastwise trade of the United States; these were granted free use of the great waterway. The British government protested against this exception, on the ground that the Hay-Pauncefote Treaty called for uniform charges, with no discrimination in favor of any nation. Elihu Root saw the logic in the British argument, and tried, unsuccessfully, to have the offending exception removed from the law.

In an address to Congress on March 5, 1914, Wilson asked that the exemption clause be repealed, on the ground that it was "in plain contravention of the treaty with Great Britain." Congress yielded, very ungraciously, to the demand, after a contest which "thoroughly tested the President's power over his party."

During Wilson's first term the United States was very quietly but very effectively pursuing a program of expansion in the Caribbean which made that sea the private preserve of the United States. (Chapter LXX.) But public attention was inevitably drawn more and more definitely toward Europe, and in 1917, Wilson prepared to take up the heaviest set of responsibilities which any president had been called upon to bear since 1865.

CHAPTER LXVII

THE UNITED STATES AND THE GREAT WAR, 1914–1917

On June 28, 1914, in Sarajevo, the chief city of the Austrian province of Bosnia, some Pan-Slav enthusiasts murdered Archduke Francis Ferdinand, the Austrian Crown Prince. On July 23, the Austrian government sent an ultimatum to Serbia, the provisions of which electrified the whole world. Five days later Austria declared war on Serbia, and Russia began to mobilize. On August 1, the great German war machine was in motion, and on the 2d, German forces were marching through Belgium, on their way to France. Three days later Great Britain declared war on Germany. The unbelievable horror of a general European fight to a finish had actually come to pass.

NEUTRALITY

At first the conflict seemed far removed from the field of American concern. To be sure, newspapers in the East carried war news on the front pages, and the curious-minded got out their maps to hunt up Belgian towns the names of which they had never heard before, or had read only in fiction. But the newspapers and the people in the Middle West and on the Pacific coast were almost as much interested in the exciting race for the National League Pennant as in the fate of Europe. On August 4, President Wilson issued a proclamation of neutrality, which he followed with an address urging the American people to be neutral in thought as well as in action.

In September, 1914, ex-President Roosevelt published an article in the *Outlook* in keeping with Wilson's suggestion. "When a nation feels that the issue of a contest in which . . . it finds itself engaged will be national life or death, it is inevitable that it should act so as to save itself. . . . The rights and wrongs of these cases where nations violate the rules of abstract morality in order to meet their own vital needs can be precisely determined only when all the facts are known and when men's blood is cool. . . . Of course it would be folly to jump

into the gulf ourselves to no good purpose; and very probably nothing that we could have done would have helped Belgium. We have not the smallest responsibility for what has befallen her."

But neutrality in thought was soon rendered impossible. Both sets of belligerents fed the American public with a mass of propaganda, in which the Triple Entente was able to make out a better case. Evident as it was that the roots of the war went far back into European history, it was equally plain that the one government which might have prevented the contest, had it desired to do so, was Germany. It had perhaps no more positive responsibility for the forces making for trouble than the other powers, but it had the negative responsibility of letting the crash come.

These feelings that England and France were in the right were intensified when the commercial effects of the war became somewhat more apparent. At first American industrial and financial affairs were threatened with confusion, in common with those in the rest of the world, but before long the war brought about an extraordinary expansion of American economic activity. The Allies needed food and war supplies of all kinds, and for these they turned inevitably to American farms and factories. By 1915 the United States was clearly embarked on a course of remarkable business prosperity.

International law permitted neutral merchants to sell to either belligerent without any restrictions save those which the other belligerent was able to enforce. With their command of the seas the Allies could take full advantage of the American market. The Germans on the other hand saw their sea power swept away or bottled up at the very beginning of the struggle, and they complained bitterly over what they called the "unneutral" course of the United States.

BELLIGERENTS *vs.* NEUTRALS

Failing in their efforts to stop the sales to the Allies by means of protest and negotiation, the Germans resorted to methods which made them a nuisance and their cause hateful to the majority of Americans. In order to get war supplies for German use they falsified clearance papers. To interfere with production for the Allies they planted bombs in munitions ships, set fires in factories, and fomented strikes among workmen.

In addition to these methods they turned to others which were entirely justifiable, but not approved by the Allies. The neighboring

countries of Holland, Denmark, and even Sweden were used as gateways through which supplies might be carried to Germany. Any extensive development of these avenues of trade would undermine the effectiveness of the British navy, so the British authorities set out to stop it. In doing so they created new problems for the United States.

In the first part of the war the Germans were accused of planting mines in the shipping lanes in the North Sea. In November by way of retaliation Great Britain declared the whole North Sea a military area. This made it possible for the British navy to regulate all shipping there, and to keep it away from the gateways into Germany.

The United States registered a formal protest against this restriction on her trade with neutral ports, pointing out that Great Britain was virtually blockading neutrals. By way of reply the British foreign office gave statistics showing the extraordinary increase in American trade with these neutral countries, and suggested that the interference could not be serious. When, in February, 1915, the Germans proclaimed a war zone in the English Channel, neutral vessels were compelled to stop for examination at British ports, and goods destined for Germany were confiscated. These seized cargoes were eventually paid for, but the delay and the interference were expensive and burdensome.

After the Germans began their so-called "submarine warfare" the British government announced that for the future it would prevent all commodities from reaching or leaving Germany. Against this blockade of neutral ports the United States protested vigorously. On October 21, 1915, it denounced the methods of British prize courts, and denied the right of Great Britain to take such action. The note declared that the British orders did not "constitute a blockade in law, in practice, or in effect," and that the United States would refuse to recognize them as legal. The measure was characterized as "ineffective, illegal, and indefensible," a position from which the United States never officially withdrew.

This protest had little effect. Thenceforth until April, 1917, British practices became more restrictive, and the violations of neutral rights more extensive and varied. Mail was examined and censored, even when bound from one neutral port to another, and American merchants who traded with Germany were blacklisted. On May 24, 1916, Secretary Lansing announced that his government

could no longer tolerate such a "lawless practice," but no redress was secured.

SUBMARINE WARFARE

Burdensome and exasperating as this interference in trade became, it was not such a serious offense at international decency as the German submarine activity. On February 4, 1915, the German government announced that it would consider the waters around the British Isles, including the English Channel, as a "war zone." In this zone enemy shipping would be open to attack, and neutrals were warned to keep out on peril of destruction. This warfare on neutrals was to go into effect on February 18. On February 10, President Wilson informed the German authorities that the Imperial German Government would be held to "a strict accountability" in case American vessels were attacked. In reply the Germans said that they were cut off from over-seas supplies by England's illegal blockade, in which neutrals acquiesced, and that they expected neutrals to be no less tolerant of German violations of international law than they were of English offenses. When the submarines began to torpedo vessels without warning, American citizens were certain to suffer. On March 28, the Germans sunk the British ship *Falaba*, and one American lost his life. On May 1, the American ship *Gulflight* was torpedoed, without warning, and two American sailors were drowned. On May 7, a German submarine torpedoed and sunk the great British liner, the *Lusitania;* 1153 persons were drowned, 114 of whom were American citizens. This act was bad enough in itself. It was aggravated, if that were possible, by the warning which Count von Bernstorff, the German Ambassador, published in the New York papers before the vessel sailed, and by his extraordinary course, on May 10, in sending a note to the State Department, expressing sympathy for the loss of American life!

On the same day that this note of condolence arrived, President Wilson created a bad impression in some quarters by delivering his famous "too proud to fight" speech in Philadelphia. On May 13, the State Department sent a new note to Germany, demanding disavowal of the attack on the *Lusitania*, and reparation for the lives lost, and declaring that the United States would omit no word or act necessary to maintain the rights of its citizens.

Whatever weight this note would have carried in Germany was entirely destroyed by the action of William Jennings Bryan, then

gracing the State Department. After the warning was sent, Bryan had a conference with Dumba, the Austrian ambassador, in the course of which he made the following explanation of the *Lusitania* note: "The United States desires no war. Her notes, however strongly worded, meant no harm, but had to be written in order to pacify the excited public opinion of America. The Berlin Government therefore need not feel itself injured, but need only make suitable concessions if it desires to put an end to the dispute." Dumba naturally lost no time in getting this through to Berlin, and Zimmerman, the foreign secretary, had it when Gerard, the American ambassador to Germany, called to tell him that Germany must yield in the *Lusitania* matter. Zimmerman accused him of bluffing, and showed him the dispatch from Bryan. Shortly after this episode Wilson accepted Mr. Bryan's resignation.

Because of Bryan's unfortunate capacity for blundering, the Berlin government practically ignored the *Lusitania* protest. Negotiations dragged on with no results until the United States entered the war. On August 19, the Germans sunk the *Arabic*, and two more Americans lost their lives. In this case, however, the German government disavowed the act, and offered reparation. On March 24, 1916, the Germans sunk the *Sussex*, and some more Americans were killed.

This combination of German aggression and American notes aroused American feeling to a high pitch. On the whole, the country approved of the stiff notes that Wilson was sending to Berlin. There was, however, a minority, with representatives in Congress, which felt that American citizens ought to abandon their right to travel on the high seas. In February, 1916, Representative McLemore introduced a resolution in the House, asking the President to warn American citizens to refrain from traveling on armed belligerent vessels. Wilson resented this attempt to interfere with his conduct of foreign relations, and he requested an immediate vote, to clear the air and to make plain the attitude of Congress. A motion to table the resolution was adopted by a vote of 275 to 135.[1]

With this embarrassing resolution out of the way, the State Depart-

[1]

For Tabling:		*Against Tabling:*	
Republicans	93	Republicans	102
Democrats	182	Democrats	33
	275		135

ment continued its pressure upon Germany, and on May 4, 1916, the Imperial Government announced that for the future it would make an effort to confine its submarine activities to belligerents, and that "liners" would not be sunk without warning and without saving lives. But this "Sussex pledge" was qualified by the suggestion that in view of this concession, the United States should "demand and insist" that the British government likewise confine its operations within legal limits. Lansing, the new Secretary of State, replied that the merits of the American case against Germany were in no way contingent upon the conduct of any third party. There the matter rested until the following January.

TRANSPORTATION PROBLEMS

Aside from these diplomatic imbroglios growing out of the violation of neutral rights on the seas, there were numerous other problems which the war thrust upon the United States. Before the war the country had depended upon foreign shipping to connect it with foreign markets. But after the summer of 1914 no German boats were available, and English vessels were occupied with British rather than outside affairs. With a rapidly expanding foreign trade the United States was confronted by a steadily increasing shortage of shipping. To solve the problem the administration suggested government operation of steamship lines, but there was so much opposition that the bill for the purpose was not put through until September, 1916. That measure created the United States Shipping Board, on substantially the same level with the Interstate Commerce and Federal Trade Commissions.

While the President was struggling with this difficulty and while the situation in Mexico was such that war might come at almost any time, the railroad brotherhoods seized the opportunity to secure a shorter day, with higher wages. They demanded a basic eight hour day, with pay at the rate of time and a half for all over time. As matters then stood, the men on the trains received a day's wage for working ten hours, or for running a hundred miles, with pro rata pay for overtime. In the passenger service many of the runs were so arranged that by working ten hours in one day a man would be credited with two days' work and two days' pay.

This demand of the four brotherhoods—engineers, firemen, conductors, and trainmen—was presented in March, 1916, and promptly re-

jected by the roads. In June, the roads offered to arbitrate, and the men refused. By August the situation had become so critical that President Wilson called a conference of railroad and brotherhood officials, but the two parties could reach no agreement. On August 28 the brotherhood representatives left Washington, with orders calling a strike for September 4. The date selected was Labor Day, the busiest day of the year for passenger traffic. Critics were heard to remark that the brotherhoods, now holding the whip hand, were showing the same sort of contempt for the public which had made Commodore Vanderbilt famous nearly fifty years earlier. In fact, there was an obvious likeness between "capitalist" human nature and "labor" human nature. In planning their strike the brotherhood leaders counted as a chief asset the absolute dependence of the cities upon railroads for the necessities of life.

On August 29, President Wilson carried the matter to Congress, and in an address to the two houses he reviewed the whole controversy. He criticized the railroad managers for refusing the eight hour day, and reported the failure of his efforts in behalf of peace. As a final solution he proposed a series of laws designed to give the brotherhoods practically what they wanted, and to enable the President to intervene with effect in case of further trouble.

His program called for the enlargement and reorganization of the Interstate Commerce Commission, the establishment of the basic eight hour day for the train crews, and the appointment of a special commission to study and report on the effect of the wage increase. At the same time he asked for Congressional support for an increase in freight rates, for the prohibition of strikes and lockouts pending the investigation, and for authorization, in case of military necessity, to seize and operate the roads under the government, and to draft railroad men into military service.

Bills were drawn up embodying these proposals and in four days' time one of them, the Adamson Law, was passed. This one decreed that after January 1, 1917, the train crews were to receive their regular wages for eight hours' work, instead of ten, with pay at the same rate for overtime. The President was directed to appoint a committee of three to study the effects of this increase in wages, and to report to Congress. This measure was adopted, not as a part of any comprehensive policy, but merely as a way out of the immediate danger of a strike. All the rest of the President's constructive

program was abandoned. But the brotherhoods had approximately what they wanted, and they called off the strike. Some 340,000 men, out of the total of 1,700,000 employed in railroad service, had forced the federal government to grant their demands. It began to appear that organized labor was usurping "Big Business" in its rôle of dictator. Any doubts as to the constitutionality of the law were set at rest by a five to four decision of the Supreme Court in its favor.

PREPAREDNESS

This combination of foreign and domestic difficulties served to reveal some of the outstanding weaknesses of the United States, and to call attention to the need of a more nearly adequate system of defense. Advocates of "preparedness" vied with the "pacifists" in trying to convert the country to their own way of thinking. Especially after the *Lusitania*, various leaders of public opinion prophesied that the United States could not remain out of the conflict much longer, and urged the country to get ready. At the same time Mr. Bryan, with a large following, insisted that the United States keep out.

President Wilson did not commit himself very clearly to either party in this dispute. In August 1915, with his approval, Congress adopted a three year naval building program, calling for the expenditure of $600,000,000 for ships alone, the greatest program of that sort ever adopted in the country. The aim was to put the United States in the position which Great Britain had occupied in 1914.

It was much easier to carry through a naval than a military program. The country was traditionally opposed to a large army, and the need for one did not seem to be imminent. The President himself was converted slowly; in December, 1915, he recommended a standing army of 142,000, with a reserve of 400,000, and on a speaking tour through the West he talked "preparedness." But he made no effort to force action upon Congress, as he had done in matters which really interested him deeply. Because of his alleged lack of sympathy with military plans he aroused the ire of his Secretary of War, Lindley M. Garrison; after Garrison resigned, Wilson appointed Newton D. Baker, a well-known "pacifist," to succeed him. Congress finally, in June, 1916, adopted a measure, the Hay Bill, for increasing the regular army to 175,000, with provision for a further increase to 220,000. Under the authority of the same act the state militia was

put under the direct control of the federal government. Certain provisions in the Hay Act made it appear that the strictly political aims of the measure were almost as important as the military.

WILSON *vs.* HUGHES

This tangle of issues furnished the setting for the presidential campaign of 1916. Influential Republican leaders were indulging constantly in the most scathing denunciations of Wilson's policies, foreign and domestic, on the ground that he was steadily undermining the prestige of the country abroad, and respect for the government at home. Democrats on the other hand, with few exceptions, were outspoken in their praises of the administration.

The Republican Convention met at Chicago, on June 7. Before the delegates came together, the National Committee had bowed sufficiently to the demand for reform in the South to reduce the number of delegates from those districts with a negligible Republican vote. Under the new apportionment the South lost eighty-two seats. Holding out this reform as a sort of olive branch to the disgruntled Progressives, the Republican leaders worked to reunite the party. The Progressives themselves were not unwilling to forget their gyrations of 1912, provided they could do so without undue loss of dignity, so they called their convention for the same day at the same place. They hoped that the Republicans were forgiving enough to accept Roosevelt as their nominee, but the "Old Guard" had a far too vivid recollection of certain Rooseveltian epithets. Finally the Republicans nominated Charles Evans Hughes, and after a little delay Roosevelt agreed to support him. Most of the other Progressives sorrowfully came around.

The platform ridiculed the Underwood Tariff, criticized the Wilsonian European and Mexican policies, and called for a strong army and navy. But when it came to constructive suggestions the platform was not especially illuminating. In particular it seemed to be weak in its lack of references to the pro-German problem, the "hyphenates" in the United States.

Wilson had a clear field in his own convention. Some of the bosses of the Murphy, Ryan, and Taggart type were not pleased with him, but they were not strong enough to dispute his claim to a nomination for a second term. When the Democrats met, at St. Louis, the President was nominated without any effort. The platform indorsed his

record and pointed with pride to his reforms. The Democrats were more outspoken against the course of the pro-German hyphenates than the Republicans, and certainly as definite in their demands for "preparedness."

But in 1916 platforms counted for little. Some people were emotionally pro-Wilson or anti-Wilson and voted accordingly. The more thoughtful tried to determine which of the two leading candidates would be the better president. As a campaigner Hughes was distinctly inferior to Wilson. His speeches dealt more with destructive criticisms of Wilson than with constructive plans of his own, and he seemed unduly careful to avoid giving offense to the Middle West pro-German element. Wilson on the other hand was able to point to an actual record, and his managers made much of the slogan, "He kept us out of war." According to Professor Dodd, Wilson had made up his mind in 1916 that the United States must enter the war; but he made no attempt to enlighten his pacifist supporters on that point. On the "hyphenate" issue he was frank and direct. "I would feel deeply mortified," he wrote to a pro-German agitator named O'Leary, "to have you or anybody like you vote for me. Since you have access to many disloyal Americans and I have not, I will ask you to convey this message to them."

When the returns began to come in on the evening of November 7, it appeared that Wilson was beaten, but it finally became clear that he had carried three doubtful states: Ohio, New Hampshire, and California, by a very close vote. The Republicans lost California by sheer stupidity. Johnson, Republican candidate for the Senate, carried the state by 300,000; Hughes lost it by 3,773, thereby losing the presidency by one third of one per cent of the votes in a single state. Wilson's popular plurality was 580,000, while the electoral vote stood Wilson, 277, Hughes, 254. In Congress neither party had a majority but the Democrats finally got the organization.

THE DECLARATION OF WAR

By January, 1917, the Imperial German Government had reached a point where desperate measures had become essential. After two years and a half of war the Teutonic allies were no nearer success than they had been at the end of the summer of 1914, and there were no better prospects in sight. In December, 1916, the German Government made a formal proposal for the beginning of peace negotiations.

This the Allies rejected. A month later President Wilson addressed the Senate on the subject of peace in Europe. It must be, he declared, "a peace without victory. Only a peace between equals can last. Only a peace the very principle of which is equality and a common participation in a common benefit. The right state of mind, the right feeling between nations, is as necessary for a lasting peace as is the just settlement of vexed questions of territory or of racial and national allegiance. No peace can last, or ought to last, which does not recognize and accept the principle that governments derive all their just powers from the consent of the governed."

These peace proposals suggested by the German Government and by President Wilson in his rôle of mediator failed to produce results and the Germans had one chance left: unrestricted submarine warfare. If they could starve Great Britain and interrupt the flow of war supplies to France they might win. But action was necessary, before the war of attrition should reduce them to impotence. On January 31, von Bernstorff informed the State Department that on the next day, in the waters around the British Isles and the French coasts, including the Mediterranean, German submarines would destroy all shipping, neutral and belligerent alike. As a concession to the United States he added that one American vessel a week would be allowed to go to England, if it would sail along the fiftieth parallel to Falmouth, arrive on Sunday, and leave on Wednesday. On each side this highly favored boat must have painted three stripes, alternate red and white, each one meter wide, and at each mast head she must fly a large red and white checked flag. Furthermore she must carry a certificate from the United States government that she carried no contraband. This announcement von Bernstorff had privately submitted to President Wilson two days before.

In submitting this amazing document, von Bernstorff coupled with it the even more amazing hope "that the United States may view the new situation from the lofty heights of impartiality and assist, on their part, to prevent further misery and avoidable sacrifice of human life." History records few if any other examples of such a series of unparalleled insults as those which the Imperial German Government deliberately thrust upon the United States. Three days later President Wilson recalled Gerard from Berlin and broke off diplomatic relations with Germany.

On February 26, Wilson asked Congress for authority to place

guns and naval gun crews on American merchant ships, so that they might protect themselves against submarine attacks. A bill for that purpose passed the House by a vote of 403 to 13, but in the Senate a filibuster conducted by eleven "willful men" prevented the overwhelming majority from making its purpose effective. After expressing his opinion of the willful eleven in language far more caustic than he had ever used to or about von Bernstorff the President decided that Congressional authorization was unnecessary. Thereupon he armed the vessels without such authority. This made war practically certain, and he called Congress in special session for April 2.

Before Congress met events moved rapidly. On February 14, von Bernstorff and his legation left the country. Gerard had difficulty in getting away from Germany. The authorities there tried to compel him to sign a disgraceful treaty, something which he had no authority to do, because his recall had left him with no official standing. But he consented to read the document, and upon doing so he left no doubt in their minds regarding his opinions of their scheme. "I would stay here," he declared in phraseology unknown to diplomacy, "until hell freezes over before I would put my name to such a paper." On February 25, the *Laconia* was torpedoed, and two Americans were killed. On March 18, the Germans sunk three American vessels, and killed fifteen Americans.

Of course the German authorities knew that sooner or later the United States would be goaded into war, and during this busy season Zimmerman, the foreign secretary, sent the following dispatch to the German minister in Mexico:

"On the first of February we intend to begin submarine warfare unrestricted. In spite of this, it is our intention to endeavor to keep neutral with the United States of America. If this attempt is not successful, we propose an alliance on the following basis with Mexico. That we shall make war together and together make peace. We shall give general financial support and it is understood that Mexico is to reconquer the lost territory of New Mexico, Texas, and Arizona. The details are left to you for settlement.

"You are instructed to inform the President of Mexico of the above in the greatest confidence as soon as it is certain that there will be an outbreak of war with the United States, and suggest that the President of Mexico, on his own initiative, should communicate with Japan, suggesting adherence at once to the plan, and at the same time to offer to mediate between Ger-

many and Japan. Please call to the attention of the President of Mexico that the employment of ruthless submarine warfare now promises to compel England to make peace in a few months."

On April 2, President Wilson addressed Congress, urging a declaration of war. After reviewing the long list of grievances which the United States had against Germany, he outlined the motives back of this final decision, and the hopes concerning the peace to follow. The object of the United States, he said, was "to vindicate the principles of peace and justice in the life of the world as against selfish and autocratic power and to set up amongst the really free and self-governed peoples of the world such a concert of purpose and of action as will henceforth ensure the observance of these principles." Referring to the menace to the peace of the world which lay in the existence of autocratic governments "backed by organized force which is controlled wholly by their will, not by the will of their people," he declared that the United States could never be on friendly terms with a government of that sort.

"We are glad," he said, "to fight thus for the ultimate peace of the world and for the liberation of its peoples, the German people included, for the rights of nations great and small and the privilege of men everywhere to choose their way of life and obedience. The world must be made safe for democracy. . . . We have no selfish aims to serve. We desire no conquest, no dominion. We seek no indemnities for ourselves, no material compensation for the sacrifices we shall freely make. . . . We shall fight for democracy . . . for the rights and liberties of small nations, for a universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at last free." The declaration of war passed the House on April 4, the Senate on April 6.

Wilson's opponents and critics, who had taken exception to nearly all of his foreign policy, expressed dissent from his interpretation of the causes of the war. Germany, they argued, had not changed any between 1914 and 1917; why had it taken the President so long to find out that she was a menace? And if the real purpose of the war was to make the world safe for democracy, why had so much valuable time been lost? Furthermore, was it not presumptuous on the part of the United States, as a late comer, to attempt to lay down specifications concerning the peace? Possibly the Allies, who had not been idle from 1914 to 1917, might desire a voice in the final arrangements.

In the vehemence of their criticism some of Wilson's opponents overlooked the fact that the famous war address was the President's own interpretation of events, the explanation of why *he* went to war, and that it did not in itself determine the causes of the war. These remained the same, regardless of what he might say; they were in part objective grievances against Germany. It is obviously more than a coincidence that the realization of the need for making the world safe for democracy came after the German submarine policy had become intolerable. The real cause of American entrance into the war was the impossibility of bearing longer with German aggression.

In attempting to elevate the war from the practical to the ideal, President Wilson was following sound war psychology. His addresses thrilled the people, stirred up their emotions, and gave them an abstract cause to fight for. The danger in that course, if there was any, would appear after the war was over. Then the working out of the peace might create a conflict between essential facts and the emotional idealism of the war. In 1919 some of the bitterest criticism directed against the President came from those who expected the idealism of war to be carried over into the peace, and from those on the contrary, who expected the practical considerations to take precedence over the idealism. He could satisfy neither side.

CHAPTER LXVIII

THE UNITED STATES IN THE WAR

WAR PREPARATIONS

When the United States entered the war the administration expected that its primary contribution would consist of ships, airplanes, food, and finance; because of the length of time required for training, and the distance for transport, the actual military contribution would be a minor matter. With this general principle to serve as a guide, the government began to develop its program. The Council of National Defense, consisting of the heads of the departments of War, Navy, Interior, Agriculture, Commerce, and Labor, went to work with an advisory commission of civilian experts to provide the essential supplies. Daniel Willard of the Baltimore and Ohio Railroad was chairman, with general oversight of transportation. Among the others were Howard Coffin, a prominent automobile manufacturer, in charge of munitions and manufacturing; Julius Rosenwald, of Sears, Roebuck and Company, in charge of supplies, including clothing; Bernard M. Baruch, in charge of minerals, metals, and raw materials; and Samuel Gompers, in the field of labor. To complete the personnel of the commission and its subsidiary committees "dollar a year men" were called in. This became the first civilian war organization.

The United States Shipping Board, already in existence, turned its attention to the task described in a popular song of the day as "building a bridge to Berlin." Coöperating with the Shipping Board was the newly created Emergency Fleet Corporation, which assumed responsibility for letting contracts for vessels, and increasing the facilities for shipbuilding.

Fully as important as ships was the problem of food. The Allies in Europe needed American food, and some agency was necessary to stimulate production, and to prevent hoarding and unnecessary speculation. It so happened that an American, Herbert C. Hoover, had been director of the Commission for the Relief of Belgium, and President Wilson selected him as food controller. When Congress at

once refused assent to the project, Wilson authorized him to go ahead without legal sanction. It fell to him and his assistants to urge the farmers to increase the acreage devoted to grain, especially wheat, to stimulate enthusiasm for back-yard gardening and domestic canning, and to provide for the most effective distribution of available supplies.

In May, the Aircraft Production Board was organized, under the direction of Howard Coffin. The enthusiasm of the country in 1917 led the people to expect miracles in the production of airplanes, and when no miracles came, the disappointment was as bitter as the hopes had been high. But the problem of quantity production was tremendous, and progress was slow. The Board finally produced a new engine, the "Liberty Motor," and plans and machinery were all in being for extraordinary production in 1918. At the same time the personnel of the aviation section of the signal corps was increased until the United States had a force of 86,000 officers and enlisted men in this branch of the service. During this first year of the war there was no chance of making in this country the planes needed for the American troops in France, so the War Department ordered over 6,000 in France. French industry was carrying too heavy a load even then; to get these planes without increasing the burdens of the French the United States sent over 7,000 trained machinists to work in the French factories.

The task of financing the war was the greatest work of its kind in the history of the country. Between April, 1917, and October, 1919, the United States raised $35,413,000,000, of which less than one third, or $11,280,000,000 came from taxation. The rest was secured through the four "Liberty Loans," and the "Victory Loan" of April, 1919. These bonds were issued in small denominations, and every effort was made to have every money-earning person a subscriber. A Liberty Loan organization had charge of presenting the needs to the country. Pamphlets and posters flooded every part of the country, and the now almost forgotten "four-minute men" appeared with their appeals on the platform of every motion-picture house. By the fall of 1918 there were 43,000 of these "volunteer orators, whose message it was impossible for the most indifferent to evade."

In each one of the wars of the United States, except possibly the War with Mexico, it has been customary to make the declaration first and then to raise an army. The National Defense Act, or the Hay Act, of 1916, had been designed as a measure of partial prepara-

tion. In addition to the increase in the regular army, carried out under the Hay Act, the War Department had established a few officers' training camps. In May, 1917, a second series of camps was opened, for the training of first and second lieutenants. After a long debate, Congress passed the Selective Service Act, which became law on May 18, 1917. This provided for raising an army by conscription, but in picking the men the plan was to take those who were not engaged in essential industries, and who were without dependents.

The actual work of enrolling the men was carried out by the local draft boards, 4,557 in number. On June 5, 9,586,508 men registered, and from this supply men were drawn in lottery fashion for the training camps. To receive them the government had to build a series of new camps, with barracks, hospitals, water supplies, in fact everything needed for a small city. Although work on these new camps was not started until after the declaration of war in April, some of them were ready to receive the first groups of drafted men by September 5. By November, 1918, there were 37 of these great camps.

The plans for raising the army were designed to provide the necessary number of men with as little friction and as little damage as possible to the industrial life of the country. At the same time the officers chosen to command the army in France were selected on the grounds of training, ability, and fitness. These impersonal regulations were carried through with surprisingly few exceptions. On the whole the people approved. Perhaps the most conspicuous instance of disapproval came with the rejection of Roosevelt's plea. The ex-President wished to raise a volunteer division and to command one of the brigades in it. His admirers felt that his very presence in France would prove a tremendous help to the Allied cause. President Wilson refused to avail himself of Roosevelt's services. "This is not the time or the occasion," he wrote, "for a compliment or for any action not calculated to contribute to the immediate success of the war. The business now in hand is undramatic, practical, and of scientific definiteness and precision." In some quarters feeling on this subject ran high, as it was bound to where Wilson and Roosevelt, both of whom had the capacity for arousing controversy, were engaged as principals in a dispute of their own. Probably the great majority of Americans felt that it was no time for crack regiments to go on parade, and that no officer could be appointed who might lack the qualities required for effective team work. Probably General

Leonard Wood received no command in France because of his tendency to outspoken criticism.

THE A. E. F.

For commander-in-chief of the American forces in France, Wilson selected Major-General John J. Pershing, then in charge of the American army on the Mexican border. In June Pershing proceeded to France, and on July 4, he exhibited the troops of the 1st Division in Paris. After these first troops had arrived, the next American contingents sent over were engineers and construction men, to prepare for handling and transporting the large American army on its arrival. In the French coast towns south of Brest the Americans constructed docks, with a network of railways connecting these ports with the front. Plans were made to send over all the necessary supplies for the men, so that they would not constitute an additional burden upon the French government. For the first year of the war the American forces were engaged in preparing for work on a large scale. As late as March, 1918, there were only 250,000 American troops in France, and of these more than half were technical men, engaged in the work of providing port facilities and lines of communication. But beginning with the spring of 1918 the work was so well done that the commanders were able to receive troops at the rate of ten thousand a day for five solid months. Never before in the whole history of the world had any such extensive troop movement been carried out over such long lines of communication.

In this work of building a new army, constructing ships to carry it to France, providing facilities for handling it after its arrival there, and keeping it supplied with food and munitions, the administration had to deal with a series of entirely new situations, and progress was necessarily slow. The American people were in the habit of getting results quickly, and they demanded them more quickly than ever in 1917. When delays were found to be inevitable, critics berated Wilson and his whole party. In July, 1917, the opponents of the administration tried to secure the appointment of a Congressional joint-committee on the conduct of the war. Wilson entered a vigorous protest against this, and the plan failed. In December, 1917, Congress called for an investigation of the War Department. This revealed the handicaps which were being overcome, and showed that the authorities were working with more than usual perseverance.

But impatience at the seeming inability to get results—the critics had been expecting some spectacular display of American power on the Western Front—finally reached the breaking point. On January 19, 1918, Senator G. E. Chamberlain, a Democrat, Chairman of the Committee on Military Affairs, spoke at a luncheon of the National Security League in New York. There he charged that "the military establishment of America has fallen down. . . . It has almost stopped functioning . . . because of inefficiency in every bureau and in every department of the government of the United States."

Wilson met this charge, in true Rooseveltian manner, with the wrathful declaration that Senator Chamberlain's statement was "an astonishing and absolutely unjustifiable distortion of the truth." Chamberlain followed up his attack on the President with a bill for the creation of a special War, or Munitions, Cabinet, and the newspapers suggested Roosevelt as the fitting head for such a body. Wilson announced that he would veto any bill containing any such proposal. Then, by way of circumventing his critics, he had Senator Overman of North Carolina bring in a bill giving the President authority to reorganize government departments, or to create new ones. In May, 1918, this measure became a law, and as a result of it Wilson became a dictator for the duration of the war.

By the spring of 1918 the demands of the war had brought about the evolution of a kind of War Cabinet, including the heads of the following boards: Shipping, Food, Fuel, War Trade, Railroads, and War Industries, and the heads of the War and Navy Departments. In little more than a year after the declaration of war the country and the government made it possible for American troops to enter the active fighting in sufficient numbers to turn the scale of the conflict. As compared with the time consumed in changing England over from a peace to a war economy the American government did well. As compared with the achievements of Madison and Armstrong in the War of 1812, or with those of McKinley and Alger in the war with Spain, Wilson and Baker performed miracles. They were expensive miracles to be sure, but in 1917 and 1918 cost had to be sacrificed to results.

THE WESTERN FRONT

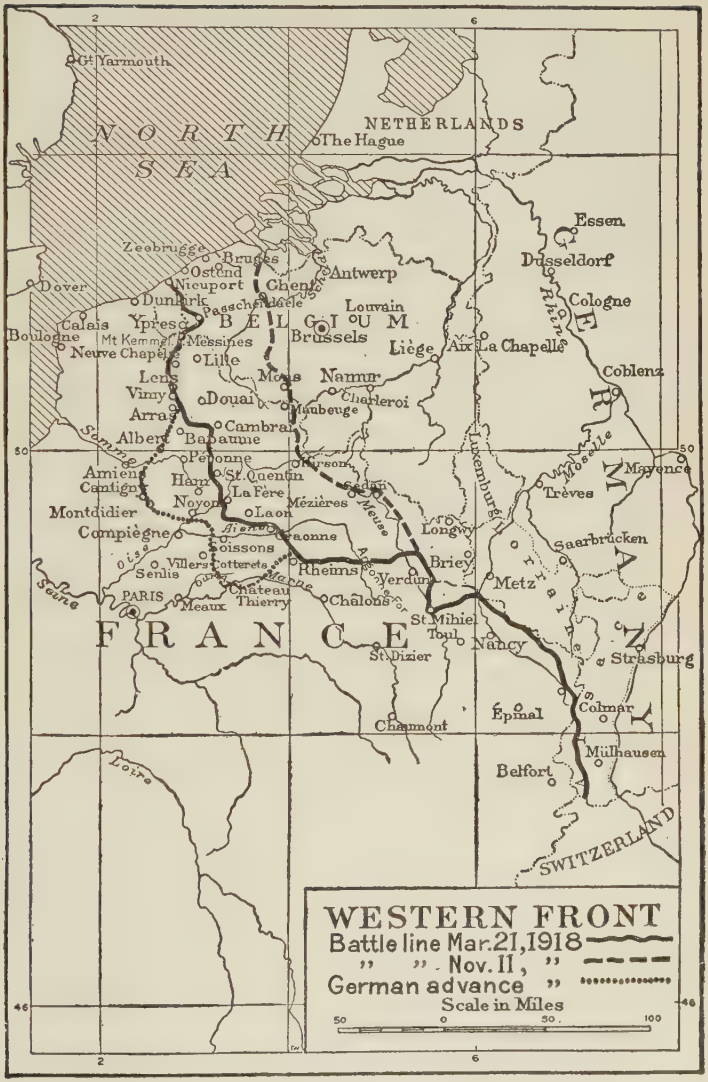
By March, 1918, it had become apparent to the German leaders that the American war preparations were proceeding more rapidly than their own submarine campaign. Destructive as that had been,

it had failed to crush England. With the prospect of American military movements on a scale large enough to threaten the German lines in France, the Germans were compelled to try their last resource: an attack along the whole line with their whole available force before the American armies should become too large. On March 21, the German divisions began an advance, on a fifty mile front south of Cambrai. Their immediate objective was to separate the English and French armies, turn the English lines back toward the coast, and then—so they hoped—push on toward Paris. After a week of desperate fighting, during which the German advance averaged about six miles a day, the drive was checked. The determination of the Germans to stake everything on this spring campaign induced the Allies to appoint a general-in-chief, with Ferdinand Foch as the supreme commander.

The beginning of the great German drive gave a new impulse to American war preparations. By July, 1918, there were a million American troops in France, and the number was doubled by November. When the German advance came in March, four American divisions were ready for active service. For four months after the beginning of the drive the Germans remained on the offensive. On April 9 their divisions moved against the British in the Lys Valley, west of Lille. Although their advance was slower than their first drive in March, they carried it far enough to threaten the British supply system. On May 27, they struck again, between Rheims and Soissons, pushing the Allied line back to Château-Thierry. A few more dents like this would have brought the Germans to Paris.

On May 28, the American 1st Division captured Cantigny, a little village west of Montdidier. On the 31st, a part of the 3d Division helped block the German advance at Château-Thierry. These exploits were perhaps small in themselves, but they showed what the American troops could do in action.

On July 15, the Germans struck for the fourth time, along the line from Château-Thierry to the edge of the Argonne Forest. This proved to be the last German offensive. By August 4, Foch had straightened out his line west of Rheims, thereby relieving the danger of an attack upon Paris. On August 8, English forces began to push the Germans back toward Montdidier, and by the 18th they had eliminated the dangerous German salient in that sector. American troops assisted in both these counter-attacks.


NORTH SEA
NETHERLANDS
The Hague
Gt Yarmouth
Zeebrugge
Bruges
Ostend
Nieuport
Ghent
Antwerp
Dover
Dunkirk
Paschendaele
Louvain
Calais
Ypres
BELGIUM
Boulogne
Mt Kemmel
Messines
Brussels
Liège
Aix
La Chapelle
Neuve Chapelle
Lille
Mons
Namur
Lens
Vimy
Douai
Charleroi
Arras
Maubeuge
Cambrai
Albert
Bapaume
Peronne
Amiens
St Quentin
Bapaume
Ham
La Fère
Cantigny
Noyon
Laon
Montdidier
Mézières
Compiègne
Soissons
Laonne
Longwy
Villers Cotterets
Rheims
Briey
Verdun
Metz
Senlis
Château Thierry
Châlons
PARIS
Meaux
St Mihiel
Toul
Nancy
FRANCE
St Dizier
Strasburg
Colmar
Epinal
Chaumont
Mülhausen
Belfort
SWITZERLAND
Essen
Düsseldorf
Cologne
Coblenz
Mayence
Trèves
Saarbrücken
Essen
Rhine
Moselle
Meuse
Somme
Oise
Aisne
Marne
Seine
Loire
Luxemburg
Alsace
Lorraine
WESTERN FRONT
Battle line Mar. 21, 1918
" " Nov. 11, "
German advance "
Scale in Miles
50 0 50 100

By September there were enough American troops ready so that Pershing could organize an American field army. On the 12th in coöperation with French troops, the Americans attacked the Germans in the St. Mihiel salient, east and south of Verdun. In two days fighting the Germans were driven out, and the Allied line straightened again. It was becoming apparent that the Germans had passed the peak of their power, and that Foch now had troops enough to strike often and hard. From this time on to the Armistice in November the German troops were in retreat.

On September 26, with nine American divisions in action, the battle of the Argonne was begun. The region itself with its ravines, river valleys, hills, and woods made the advance and offensive operations next to impossible. This battle lasted forty-seven days, with fighting going on continuously.

Before this campaign had been under way a week the fate of the Central Powers was beginning to take shape. Bulgaria withdrew from the war on September 30, with an unconditional surrender, and by that time the German prospects were gone. The great drive of the spring of 1918 had been made possible by the withdrawal of Russia from the war, and the consequent release of all the German divisions in the East for service on the Western Front. They had tried, and had failed.

WORKING TOWARD PEACE

From the summer of 1917, some sort of peace proposal was always under consideration. On January 5, 1918, Lloyd George outlined a part of the British proposals, and on January 8, President Wilson made public his program of the world's peace "the only possible programme, as we see it," the famous Fourteen Points. These follow in order:

1. "Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind but diplomacy shall proceed always frankly and in the public view."
2. "Absolute freedom of navigation upon the seas . . . alike in peace and in war, except as the seas may be closed . . . by international action for the enforcement of international covenants."
3. The removal of "economic barriers," and "the establishment of an equality of trade conditions" among all the nations "consenting to the peace."
4. Guarantees for the reduction of armaments.
5. "A free, open-minded, and absolutely impartial adjustment of all

colonial claims, based upon a strict observance of the principle that in determining all such questions of sovereignty the interests of the population concerned must have equal weight with the equitable claims of the government whose title is to be determined."

6. "The evacuation of all Russian territory," and a settlement of Russian questions that will secure the coöperation of the other nations in obtaining for her free opportunity for her own development, "and assure her of a sincere welcome into the society of free nations under institutions of her own choosing."

7. The evacuation and restoration of Belgium.

8. The evacuation of all French territory, and the restoration of Alsace-Lorraine to France.

9. "A readjustment of the frontiers of Italy . . . along clearly recognizable lines of nationality."

10. Opportunity for autonomous development for the peoples of Austria-Hungary.

11. Evacuation and restoration of Roumania, Serbia, and Montenegro. Serbia to have access to the sea; "and the relations of the several Balkan states to one another determined by friendly counsel along historically established lines of allegiance and nationality."

12. Assurance of "a secure sovereignty" to the Turkish portions of the Ottoman Empire, and the release of the subject peoples from Turkish control.

13. "An independent Polish state . . . which should include the territories inhabited by indisputably Polish populations," with free access to the sea.

14. "A general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small states alike."

On July 4, 1918, President Wilson added four additional "points" to his peace program:

1. "The destruction of every arbitrary power anywhere that can separately, secretly, and of its single choice disturb the peace of the world; or, if it cannot be presently destroyed, at the least its reduction to virtual impotence.

2. The settlement of all questions upon "the basis of the free acceptance of that settlement by the people immediately concerned, and not upon the basis of the material interest or advantage of any other nation or people which may desire a different settlement for the sake of its own exterior influence or mastery."

3. "The consent of all nations to be governed in their conduct" by the principles that govern individual citizens.

4. The establishment of a peace organization sufficient to hold aggression in check. "What we seek is the reign of law, based upon the consent of the governed and sustained by the organized opinion of mankind."

On September 14, 1918, Austria asked for a conference to discuss possible peace terms, and after a crushing defeat on the Piave, it signed an armistice on November 3. On October 4, the German Government requested a formal statement of the terms of peace, professing a desire to accept the "Fourteen Points." Before replying to this request, President Wilson tried to find out how genuine the proposal was, and to what extent the government then reflected popular opinion. And he made it plain that he at least would not consider an armistice as long as the Germans remained on Belgian and French territory. On October 12 the German government agreed to evacuate the occupied territory. Having received satisfactory assurances regarding this, and regarding the representative character of the German government, President Wilson laid the correspondence before the Allies. On November 9, the Hohenzollerns abdicated and soon fled to Holland.

On November 11, the German authorities signed an armistice, the terms of which had been drawn up by Marshal Foch. This called for a cessation of hostilities, and for the immediate evacuation of occupied territories, including Alsace-Lorraine. Other sections were designed to render Germany powerless to renew the war. She must surrender thousands of heavy guns, machine guns, and airplanes, as well as locomotives, railroad cars, and automobiles. With these must go all the German submarines and the greater part of the German surface navy. German troops were to be withdrawn from all German territory west of the Rhine, and Allied troops were to occupy this region, and the territory on the other side near the main bridges, at Mayence, Coblenz, and Cologne. With the signing of the armistice Germany ceased to exist as a military or naval power. Great nations had been beaten before, but no great nation had ever been compelled to acknowledge defeat in such overwhelming, spectacular fashion.

CHAPTER LXIX

THE PEACE OF VERSAILLES

In spite of all the preliminary declarations of principles concerning peace, the "Allied and Associated powers" were not fully prepared to embark upon formal negotiations when the war came to an end. During the struggle itself the press and the public had been discouraged from discussing possible terms of peace, and the governments had not dealt openly with the problem. It seemed best to win the war first, and to leave controversial matters until the Germans were beaten. President Wilson's Fourteen Points and his subsequent principles constituted an American peace program of very general character, but it had to be reduced to concrete terms. Some of the Fourteen Points, notably those touching upon Italy, the Balkans, and Poland, were impossible of fulfillment. There were for example, no "clearly recognizable lines of nationality" separating Italy from the other Adriatic peoples, nor was there any line separating the "indisputably Polish populations" from their neighbors. Ethnic lines do not exist in Europe. There are fringes of mixed races surrounding some of the more clearly defined racial groups, but the fringes are wide, and the racial groups themselves are not distinct. Such being the case, the victorious European Allies were inclined to feel that with the Armistice the Fourteen Points had really done their work; they had put the issues of the war into appealing ethical garb, and consequently had contributed to the *morale* necessary to success. Because some of them were philosophical abstractions, the practical-minded Europeans would calmly scrap the whole list.

THE SECRET TREATIES

These same practical statesmen had gone far toward a settlement of their own, a settlement embodied in a series of "secret" treaties, drawn up between 1915 and 1918. Those which were made prior to the end of 1917 had ceased to be secret. Ruthlessly tearing the veil from the holy of holies of diplomacy, the Bolsheviki had taken a peculiar delight in laying bare these plans for remaking the world,

plans strangely in contrast with the pious prophecies of a new world order issued from time to time to keep the war spirit alive.

In 1915 England and France agreed that Russia should annex Constantinople and the Straits; those three powers made liberal promises to Italy, to secure her services for the Allies, promises covering Austrian territory, the Dalmatian coast, the Dodecanese, a share of Turkey, and colonial territories in Africa. In 1916 the three original Allies came to an agreement concerning the division of Asiatic Turkey. In 1917 France got the consent of her partners for carrying through her plan to annex the Saar Valley, and for the establishment of an "independent" Rhineland republic, consisting of the German provinces west of the Rhine. In 1917 England, France, Russia, and Italy all agreed to uphold Japan in her demand for the former German concessions in China. These are merely samples. They show that the Allies were planning for another Congress of Vienna, with the victors disposing of the spoils to suit themselves, regardless of the possible effect on the future peace of Europe.

PROBLEMS OF THE PEACE CONFERENCE

It is plain that these agreements were not in harmony with the idealistic emotionalism of war time, and even more apparent that in spirit they were absolutely at variance with the Fourteen Points, and the supplementary principles. When the conflict between the Wilsonian and the European programs was pointed out to President Wilson, he professed complete ignorance of the existence of any such treaties. At the time of this denial, college undergraduates were discussing the documents in their history classes. The so-called "practical statesmen" wanted to divide all the spoils among the victors, to secure the largest possible indemnity from Germany, and to annihilate Germany as an economic factor for all time. The "liberal" or "idealist" statesmen on the other hand felt that the primary aim was a new type of world organization, which would minimize the danger of another war; they advocated a peace which would remove bitterness and restore good will. To their way of thinking Germany should not be punished too severely, and new Alsace-Lorraines should not be created, to keep alive the desire for revenge. One of the most difficult of all the problems confronting the coming Peace Conference therefore was that of bringing the victors together upon common ground.

More concretely, the Conference would have to settle the estates of three empires, recently deceased: Germany, Austria-Hungary, and Turkey. Their dependent peoples had to be set free, and established in business for themselves. This work alone necessitated the drawing of thousands of miles of new boundary lines, and the establishment of new frontiers. The password of the day was "self-determination," and numerous petty groups were prepared to present it at Paris, all anxious to multiply sovereignties. As though Europe did not contain enough problems, the Peace Conference was obliged to reallot extensive colonial territories, and in doing so to satisfy the conflicting demands of all the victors except the United States. In many cases, in Europe and out, these boundary lines had to be drawn arbitrarily, because the new nations had no natural frontiers. Worse yet, the lines had to be drawn with due regard to mineral resources, coal, iron, and petroleum. These essential economic considerations sometimes cut across various racial aspirations. But everybody must be satisfied.

Underlying all these matters was the state of mind, or of feeling, in France. The French had suffered tremendously during the war, and in the eyes of every Frenchman Germany appeared very much as the Devil appeared to every medieval theologian: the first cause of all woe. What the French insisted upon therefore was security. After security they wanted reparations. If a change in figure may be permitted, Germany was a cow, to be starved, strangled, and milked continuously for years to come. If the biological miracle proved impossible of performance, in any case provide for strangulation.

The French policy therefore was to strip Germany of her colonies, to deprive her of the Lorraine iron deposits, which she had seized in 1870, and of her coal in the Saar, and to create a buffer state between the French and German borders. Then, because Russia was no longer available as a French ally, Poland and Roumania must be built up, to hold Germany in check upon the East.

THE AMERICAN COMMISSION

President Wilson wanted none of these things, boundary lines, colonies, guarantees, or reparations. According to his view the United States had entered the war primarily to bring about a new world order, in which another war would be impossible. This he

asked, as a fair return for American help. As compared with the European aims, it was certainly a most modest request, for the services of the United States had been considerable. If the Europeans objected to American newspaper assertions that the United States had won the war, they could hardly deny that she had saved them from defeat. But the French program for Germany, so Wilson declared, would perpetuate the very thing he was determined to end: a feeling of bitterness and humiliation. The new Europe must be founded on brotherly love, and the brothers must quit rubbing each others' noses in the dirt. The Peace Conference appeared to be due for some very uncomfortable sessions.

President Wilson decided to upset American tradition and to go to Paris himself. He had come to this decision when he realized that if his program were to have any chance of adoption, there must be some one in authority ready to fight for it. He had formulated the program, and he was not unwilling to enter a diplomatic fight. For his associates on the Peace Commission he selected Robert Lansing, his Secretary of State, General Tasker H. Bliss, his military adviser, Colonel E. M. House of Texas, his intimate friend and unofficial representative, and Henry White, a Republican of considerable diplomatic experience. As one newspaper put it, the peace commissions of 1898, 1814, and 1782 lost nothing by comparison with this.

Wilson's project of going to Paris himself, and the personnel of his associates aroused menacing comment. The Republicans had never become reconciled to the idea of Wilson as President. In their eyes he was always an intruder. Unfortunately for Wilson, the Congressional elections of 1918 gave the Republicans a new argument: that he no longer had the backing of a majority of the people.

On October 26, 1918, the President had issued a special appeal for support. "If you have approved of my leadership," he wrote, "and wish me to continue to be your unembarrassed spokesman in affairs at home and abroad, I earnestly beg that you will express yourselves unmistakably to that effect by returning a Democratic majority to both the Senate and House of Representatives." In the course of the appeal, he found occasion for hostile criticism of the opposition in Congress during the war. The Republicans had tried, he said, "to take the choice of policy and conduct of the war out of my hands, and put it under the control of instrumentalities of their own choosing." The election of a Republican Congress would be looked upon, he

declared, as a repudiation of "my leadership." In conclusion he asked for support, not for his own sake, but for the sake of the nation. Politically the appeal was a tragic blunder. Although it was published before the Armistice was signed, it continued to sink in for days and weeks afterward. All those who had never sympathized with Wilson, and many who had believed in upholding him during the war were driven by a powerful impulse to get rid of him as soon as the conflict was over. In the minds of these therefore the appeal aroused passionate antagonism, which they worked off in the election.

When the returns were in, it was plain that the Republicans had secured majorities in both houses, and that the prospect of a two-thirds vote approving Wilson's work in Paris had practically disappeared. Thereupon the Republicans insisted upon a larger voice in the Peace Commission. When this demand was ignored, some Senators talked of sending a commission of their own choosing to go to Paris, and to keep watch of the President, but the undesirability of that proceeding was brought out before the idea had gone far. The majority decided to wait, and possibly even in November, 1918, there were some who had made up their minds to reject the forthcoming treaty, no matter what its terms might be.

THE PEACE CONFERENCE

When the delegates finally convened at Paris, on January 18, 1919, there were 27 different states represented there, in addition to the 5 British dominions. The number of authorized delegates was 70; the 5 great powers themselves had 34 delegates, too many for effective work. In order that the Conference might be something more than a debating club, the Council of Ten, consisting of the executive heads of the 5 leading governments, with their foreign secretaries, undertook the actual work of framing the treaty. Even this body was too large, and after March 24 it gave way to the Council of Four: Wilson, Lloyd George, Clemenceau, and Orlando. It became a Council of Five when matters pertaining to the Far East came up for discussion.

The leading spirits were Clemenceau, Lloyd George, and Wilson. The French Premier was old enough to remember the Franco-Prussian War, and Bismarck's sinister comment about "bleeding France white." This, and French sufferings after 1914, furnished the mold in which his thoughts were cast. He had little interest in the League of Nations, by itself It was a harmless project, provided that France

had her needed security independent of it; by itself, as a safeguard against Germany, it was utterly worthless. At least so he thought. He was able, clever, and witty, with a strong will and a clear mind. France should not be forced to sacrifice one particle of her victory if he could help it.

Lloyd George was a genuine opportunist, of unusual cleverness. His strongest characteristic was his remarkable capacity for adjustment to new situations. Because he was always living in the present, and never in the past, he plunged into inconsistency after inconsistency, always troubling his friends and enraging his enemies, but always getting results. He was possessed of the extraordinary force and driving power of Theodore Roosevelt. More than any other man he had keyed England up to the pitch necessary for the bitter sacrifices of the war.

After the war was over it became fashionable to ridicule President Wilson, and this ridicule passed the bounds not only of respect, but even of propriety. One remark, attributed by an English journalist to a member of Parliament, gives an inkling of the prevailing tendency: "The worst of President Wilson is that he talks like Jesus Christ and acts like Lloyd George." And then Keynes, one of the numerous economic advisers attached to the British delegation at Paris made himself famous with his *Economic Consequences of the Peace*, in which he presented a widely-read caricature of Wilson.

According to men who knew him and worked with him, during the Conference, Wilson was eager to base his decisions upon findings submitted by the experts. "Certainly none of the chief delegates was more eager for the facts of the case than was the President of the United States, and none was able to assimilate them more quickly or use them more effectively in the discussions of territorial problems."

With the official delegates each government sent a small army of authorities on various aspects of the peace problem: history, economics, geography, international law, and finance. The Conference itself provided for commissions on the special problems, such as Poland, Greece, and the League of Nations. Special committees were appointed for other issues more limited in scope, such as Fiume or the Saar Valley. These commissions consulted with their respective experts, and presented their reports to the Council of Ten, or of Four. In many cases the reports were drawn up as Articles of the Treaty, and many went into the final document unchanged by the

Council. If the final treaty were not satisfactory, its shortcomings could not be attributed to any lack of interest or lack of information.

Because of the determination of some of the Allied powers to carry through certain nationalistic projects which had been in prospect for years, because of Wilson's insistence upon a League of Nations, and because of the determination of France to make Germany powerless, the Treaty of Versailles did not satisfy every one. No human beings could have drawn a document that would have satisfied every one. In general the critics of the completed work judged it in the light of their own theories rather than in the light of the handicaps under which the Conference worked. Conflicting aims and theories made compromises necessary; sometimes these differences threatened to break up the Conference.

THE LEAGUE OF NATIONS

Concerning Wilson's demand for a League of Nations there were two groups of opinion. Those who agreed with the President argued that the League should be made the basic part of the Treaty, because it would facilitate the work of the Conference. For example, in determining the new boundary lines, if the old balance of power theory were to prevail, the primary consideration in drawing the boundaries must be strategic; if the principle of the League, and of coöperation could be established, then strategic considerations might give way to economic needs. Or, under the old system, the problem of disposing of the German colonies would be difficult; under the new, the League might help to minimize the rivalry. Finally, the proponents of the League looked upon it as a sort of executor, to oversee the actual application of the Treaty itself.

The opponents argued that the League was unnecessary, and that it was an impractical thing at best. What the world needed was peace, they said, not abstract theorizing. They regarded the League as little more than a pious wish, with no practical value of any sort. Furthermore they insisted that the work on the League covenant hindered the whole Conference, at the same time that it raised unnecessary trouble.

The Covenant of the League of Nations appears as the first part of the Treaty of Versailles. It was drawn by a commission representing fourteen nations, with President Wilson as Chairman. This body considered a number of prospective and tentative drafts, one pre-

pared by President Wilson, one by Lord Robert Cecil, one by General Jan Smuts, and others. The first draft of the covenant itself was made in eleven days, and Wilson carried this back to the United States on his trip home in February. Then, on his return to Paris, he carried amendments proposed by certain prominent Republicans, and had them embodied in the final draft.

The League was designed to serve as an agency for action on matters of international concern. Membership was to be open to all the Allied and Associated nations which signed the Treaty, to fifteen other nations named in the Covenant, and to others approved by a two-thirds vote of the Assembly. Members might withdraw, upon two years' notice, provided they had fulfilled their international obligations. The Covenant provided for an Assembly, a Council, and a permanent secretariat. The Assembly was to consist of representatives from every member, while the Council was made up of representatives of the five Allied and Associated Powers: Japan, Italy, France, Great Britain, and the United States, plus representatives from four other nations, sitting in rotation. Except as otherwise provided, the decisions of either body required the unanimous consent of the members present.

The Covenant aimed to pave the way for a limited measure of disarmament, for arbitration of disputes, for the adjudication of serious controversies, and for the possible punishment of any member which violated its agreement. For the handling of colonies a system of mandates was created, under which nations might act as guardians of colonies or backward countries. Perhaps the part of the covenant which caused the most trouble was Article X, which declared that the members of the League undertook "to respect and preserve as against external agression the territorial integrity and existing political independence" of all members of the League. In case of any such aggression, the Council was authorized to "advise" upon the means by which the obligations should be fulfilled. The League really had very little actual authority. Its organs might advise, suggest, and recommend, but not command. Furthermore the requirement of unanimous consent in all important matters would have effectually muzzled the League.

Criticism of this "Evil Thing with the Holy Name," as the *Boston Transcript* affected to call it, came from two radically different quarters. According to some timid people the League is an instru-

ment of tyranny and terrorism, a constant menace to the peace and well-being of its members, a genuine Pandora's box. According to others the League is too weak to function, so that in practice it can never be, as now organized, more than a polite debating club. Both criticisms cannot be true. Perhaps the impartial observer, if there is any such person, might say that there has been more nonsense talked and written about the League, on both sides, and more evidence of inability to reason displayed, than on any other public matter since the Free Silver Crusade.

The other portions of the Treaty of Versailles dealt with European, Asiatic, and colonial problems, and therefore lie outside the realm of American history.

Concerning the Treaty as a whole, there was widespread difference of opinion at the time it was drawn up. Some felt that, while it was not satisfactory, it might have been much worse, and that as conditions were at the time, nobody could frame one that would please all parties. If any serious defects appeared, the League was there to remedy them. This was virtually the attitude of Secretary Lansing in 1919, before he wrote his book. In a statement to newspapermen, made just before he left Paris in July, 1919, he characterized the Treaty of Versailles as "the most important international document ever drawn," a document which "lays down new agreements of the most helpful, most hopeful character." Admitting that he was "not over complacent" regarding the treaty, Secretary Lansing said that it must be examined in the light of the problems of the day, and "in the large sweep of its spirit." He called it "a stepping-stone from the old international methods to the new."

OPPOSITION TO THE TREATY

In the United States the Treaty became a lively political issue, with the League of Nations as the particular grievance of the anti-Wilson element. As the war advanced to its sudden and dramatic ending, feeling everywhere underwent a curious change, referred to in Baker's work as "the slump in idealism." In the United States it took the form of an extraordinary aversion to Wilson, and to everything that he did. It seemed that people were ashamed of having let go of their emotions during war time, and that they were determined to atone for this sin by repudiating the man who had aroused them. Or it may be that people realized how completely the emotional

enthusiasm of war time had stirred them while the contest lasted; when it was over, they wished to recover their normal poise. In doing this, they tried to forget their own exalted feelings, and to ignore the expressions of exalted feeling on the part of others. Wilson had done more than any other man to put the emotionalism of war into words, and the very act of getting away from it all made necessary a repudiation of the war leader. In any case the leaders of opinion turned upon Wilson and his work with a savage bitterness unusual even in American politics.

Some of the opposition was purely partisan. A new presidential contest was approaching, and Wilson must not be allowed to make any capital for his party out of the Peace of Versailles. It became necessary therefore to defeat his project. Other critics felt that in the main the Treaty and the League were good, but that the United States had not been adequately safeguarded. This group called for reservations to the Covenant, designed to protect the United States against possible exploitation by her erstwhile associates in arms. Still others objected to what they regarded as the crying injustices in the Treaty, such as the transfer of German rights in China to the Japanese, or to the ill-concealed land-grabbing under the mandates arrangement. These theorists contrasted the concrete terms of the Treaty with the abstract principles of Wilson before November 1918, and because the Treaty failed to measure up to an impossible standard, they would have none of it. For one reason or another the country took sides, for or against Wilson's work.

In the Senate the natural desire of the Republicans to discredit a Democratic President was intensified by Wilson's patent neglect of the sensibilities of that august body during the war and the negotiations. Senators hated him for ignoring them in making up the peace delegation. Furthermore both Senate and House felt that during the war executive authority had annihilated legislative authority, and they were preparing to restore the "constitutional" balance between the two branches of the government. In some respects the attitude of Congress toward Wilson after the Great War was like that toward Andrew Johnson after the Civil War. In both cases Congress was determined to put the President "in his place," and in doing so the legislature used as a means the biggest issue before the country: in 1866, Reconstruction; in 1919, the League of Nations.

In the Senate the policy of the opposition was finally embodied in a

series of "reservations" to the Covenant, all designed to emphasize the Constitutional and Congressional limitations upon executive conduct of foreign affairs, and to make plain the traditional policy of the United States in keeping clear of "entangling alliances." These reservations would have made it possible for Congress to take the United States out of the League, and to decide whether, when, and under what circumstances the United States should act under the Covenant. One reservation placed the Monroe Doctrine beyond the reach of the League, while another withheld the assent of this country to the transfer of Shantung to Japan. The United States refused to assume any obligation under Article X. One important argument against the League was the belief that, because the British Dominions were members, the British Empire would have six votes, while the United States would have only one, and a reservation was made to cover this. But the critics overlooked the point that the Caribbean protectorates of the United States were members of the League, and that the hold which the United States has on the Panama Republic, Cuba, or on Nicaragua, for example, is far more potent than the hold of Great Britain on Canada or Australia.

These reservations were embodied in the ratifying resolutions, and in this form they twice passed the Senate by a majority vote, once in November, 1919, and again in March, 1920. But the necessary two thirds could not be secured, so the United States stayed out of the League, and, technically remained at war with Germany. Many friends of the League felt that the Reservations would not have weakened the Covenant seriously, and that President Wilson might have accepted them with less violence to his principles than in the acceptance of the Shantung award. But he refused to allow his party followers to vote for them, and in so doing he helped to defeat the League.

He opposed all plans for compromise largely if not entirely because he objected to the spirit and the aim back of the reservations. He knew that they had been framed to exalt the Senate, and to humiliate him, and he was in no mood to be humiliated. With his fighting blood thus aroused, he preferred to lose the League rather than to grant a thing to Senator Lodge and his other Republican foes.

In addition to the Treaty of Versailles, President Wilson brought back from Paris a treaty of alliance with France, designed to guarantee assistance to that country while the League was still an experi-

ment. That document was turned over to the Committee on Foreign Relations, and it never emerged. It never had the slightest prospect of ratification, because it was in all respects a genuine "entangling alliance."

When the Senate repudiated the work which he had helped to complete in Paris, President Wilson attempted, as Roosevelt had done with some of his policies, to appeal to the people. For that purpose he began a tour of the West, speaking as he went, urging the people to insist upon the ratification of the Treaty. Overlooking the fact that his appeal of October, 1918, had failed, he hoped to find in popular support the backing which Congress refused to give him. But his exertions in Paris had overtaxed his strength, and in the course of his tour he suffered a serious physical collapse. For weeks he was unable to attend to his duties as President, and it was only with extreme suffering that he was able to resume his place as his administration drew to a close.

After defeating the Treaty of Versailles, so far as the United States was concerned, the Republicans endeavored to find a way to make peace with Germany. In May, 1920, Congress adopted a series of resolutions drawn up by Senator Knox of Pennsylvania, declaring the war at an end, and reserving to the United States any rights which would have been hers had she ratified the Treaty of Versailles. This experiment in getting out of the war by the back door President Wilson vetoed, in a message saturated with contempt. Such a peace he declared "is, or ought to be, inconceivable." After this second exchange of shots, the President and the Senate dropped the issue, and the state of war continued until after the inauguration of President Harding.

CHAPTER LXX

THE UNITED STATES AND THE CARIBBEAN

The participation of the United States in the European War was in a way a kind of historical accident, something which neither Europe nor America had been able to foresee, at least until 1916, and certainly something which the United States, as a whole, would not have voluntarily chosen. Had the policy of the German government been tempered by wisdom the United States would have felt no call "to make the world safe for democracy." Any doubt on this point before 1919 must have been removed by the general acquiescence in the repudiation of the Peace of Versailles. The country was tired of Europe and its problems, and it desired above everything else—if the vote in 1920 is any index to national desire—to forget the whole tangle of woes across the Atlantic.

Perhaps the Latin American countries south of the Rio Grande wish that the United States would turn its back on them as completely as it has affected to do on Europe. That, however, is a very different story. Latin America, and especially the region around the Caribbean, has become the field of chief interest in the foreign policy of the United States.

Probably no part of the world holds out brighter prospects for the future than that part of America below the Rio Grande. Taken as a whole these former Spanish and Portuguese colonies have tremendous stretches of undeveloped, fertile land, extensive enough to take care of the population of the whole of Europe, and more; at the same time these countries have the resources to produce food and raw materials for the whole world. The Argentine Republic alone, with a population of around 10,000,000, could easily support a population twice the size of that in the United States to-day. These lands are in the main suitable for white settlements, and as they grow they will furnish almost unlimited markets for manufactures.

Ever since the fall of the Spanish empire in the new world the United States has had an interest in Latin American affairs. The Monroe Doctrine is over a hundred years old, and it is far more

important now, and more heavily charged with meaning, than ever before. This diplomatic interest has had important consequences for all American states. To this has been added a steadily-growing commercial interest, with the result that the United States has become the dominant factor in Latin American commerce. The following table shows what has been taking place:

England

	1913	1920
[1] Exports to Latin America	$280,000,000	
Imports from Latin America	280,000,000	
Total	560,000,000	$185,000,000

Germany

	1913	1920
Exports to Latin America	185,000,000	
Imports from Latin America	165,000,000	
Total	350,000,000	107,000,000

United States

	1913	1920
Exports to Latin America	165,000,000	575,580,000
Imports from Latin America	205,000,000	820,831,000
Total	370,000,000	1,396,411,000

[1] Stuart, *Latin America and the United States*, pp. 10–11.

This increase of nearly 400 per cent in the volume of the trade of the United States with Latin America shows what an elaborate superstructure is being raised above the Monroe Doctrine.

THE CARIBBEAN

While this commercial expansion has not been confined to any one nation or part of Latin America, it has developed more actively in the Caribbean region than elsewhere. These small republics are a valuable series of markets along the route to and from the Panama Canal. Moreover in the matter of climate and soil they hold out certain advantages which appeal strongly to American investors. The economic interests of the Central American states turn them naturally toward the Caribbean. Their ports send out supplies for New Orleans and New York; tropical fruit, rubber, hard wood, and sugar. Much of this trade has grown out of plantations developed by American individuals or corporations. American capital plus the Ameri-

can-owned Panama Canal and steamship lines have created commercial currents, practically all of which now set toward the United States.

In China and Africa this sort of economic penetration by European powers has been named "imperialism," because it has been accompanied by more or less extensive plans of political control. For the same reason European commentators call the American advance into the Caribbean imperialism. The name for this sort of American expansion does not greatly matter, but the process itself is in many respects the most important phase of contemporary American growth. In connection with the Caribbean the United States has a persistent, constructive foreign policy, a policy pursued steadily for the last twenty-five years, by presidents of both parties.

In part this policy is still concerned with the Monroe Doctrine, with the prevention of European expansion or aggression in America. To this end the Doctrine has been invoked in a number of conspicuous instances, for example to force the French out of Mexico, to restrict British claims in Venezuela, and to keep Germany out of Venezuela. In these episodes the Doctrine was applied as a remedy, after crises had actually developed. There has been no sign of any diminution of American watchfulness in this respect.

Various secretaries of state have given emphatic reaffirmation to the Doctrine. Olney, in 1895, declared that "The United States is practically sovereign on this continent, and its fiat is law upon the subjects to which it confines its interposition." In 1904, Elihu Root made the attitude of the United States even plainer: "the Monroe Doctrine . . . is an assertion of our right for our own interest to interfere with the action of every other nation in those parts of this hemisphere where others are sovereign . . . and to say, if you do thus and so, even by the consent of the sovereign, we shall regard it as an unfriendly act because it will affect us injuriously.

"What we will not permit the great Powers of Europe to do, we will not permit any American republic to make it necessary for the great Powers of Europe to do."

In 1912, speaking of the Monroe Doctrine, Philander C. Knox declared: "it has in Providence been given to us of the North to state and interpret it." And he added: "the exercise of independent action by American republics is subject to limitations imposed by the United States for its own protection and in the interest of an enforcement of

the Monroe Doctrine, by obviating in advance any reason for its application."

At about the same time, in connection with rumors that Japan was about to acquire territory around Magdalena Bay, in Mexico, the Senate passed the following Lodge Resolution, by the emphatic vote of 51 to 4. "Resolved, That when any harbor or other place in the American continents is so situated that the occupation thereof for naval or military purposes might threaten the communication or safety of the United States, the Government of the United States could not see, without grave concern, the possession of such harbor or other place by any corporation or association which has such a relation to another government, not American, as to give that government practical power of control for naval or military purposes."

EVOLUTION OF THE MONROE DOCTRINE

Since the Spanish-American War the Doctrine has acquired a new significance, and under it the United States has assumed additional responsibilities. Instead of waiting for trouble to become serious, the government at Washington has intervened to force certain small republics into good behavior, so that remedial intervention will be unnecessary. In some of the smaller Caribbean powers there has been a tendency to drift into bankruptcy. Then, when a new administration comes in, it will repudiate the debts contracted by its predecessors, thereby bringing upon itself the danger of European punishment. To prevent these complications the United States has already assumed responsibility for the fulfillment of the financial obligations of these states.

The old Spanish island colony of Hispaniola was finally divided into two parts, Santo Domingo, in Spanish hands, and Haiti, in French. When the Latin-American states became independent, two republics were set up. In 1904, Santo Domingo found itself involved in serious financial obligations. European bankers were pressing for payment on loans amounting to over thirty million dollars. When the republic stopped paying interest, France, Belgium, and Italy arranged to intervene. Before taking action these three governments notified the United States that they were about to occupy the ports on the island, in order to collect the customs revenue.

President Roosevelt held that the United States could not prevent the European powers from taking action, unless it was prepared to

assume responsibility for the payment of the debts. In February, 1905, the United States and Santo Domingo signed an agreement, under which the United States was to take charge of the Dominican customs houses, and to administer the finances of the Republic. American officials would collect the money, turn 45 per cent over to the island authorities, and apply the rest toward the debts: when the United States Senate refused to ratify the agreement, Roosevelt put it into operation by executive order, and sent officers of the American navy in to take charge. In 1907, the Senate finally yielded, and accepted the arrangement.

Under American auspices, in spite of Mr. Bryan's desire to fill the Dominican customs houses with "deserving Democrats," the financial difficulties have been cleared away. Material conditions in the country are better than ever before, property and life are safer, and the farmers are more prosperous. There has been opposition to American rule, because the United States has "destroyed the soul" of the country—and because those who could plunder are held in check. Some of the natives cannot understand why, if the United States does not want to loot the treasury, it will not resign in favor of those who do.

The Dominican experiment worked so well that Taft planned for a similar course in Nicaragua and Honduras. Treaties were drawn, placing both countries under the financial supervision of the United States. Again the Senate refused its assent, but Taft lacked Roosevelt's determination and the treaties were dropped. In the Wilson administration Bryan revived them, and the Nicaragua treaty was finally ratified, in 1916.

While this expansion of the Monroe Doctrine was in progress, the completion of the Panama Canal in 1914 introduced a new factor in the Caribbean problem. The operation of the Canal is dependent upon a series of locks, the destruction of which would make the whole waterway, "one of the greatest commercial highways of the present and the future," simply useless. The locks could easily be destroyed by gunfire, or by bombs, therefore the United States has had to devise means for its protection. In substance this has led to the adoption of a policy of absolute naval supremacy in the Caribbean.

Cuba and the Panama Republic are both American protectorates; these two countries, with Porto Rico, were the foundations of American power in the Caribbean. During the first twenty years of the

present century the extension of this power has been literally amazing. The financial hold on Santo Domingo could easily be converted into a military hold; something which actually took place in 1916. When civil war broke out there, American marines were sent in, and the American navy has been in charge ever since.

In the same year the treaty with Nicaragua was ratified. This gives to the United States the exclusive right of way for a canal



through Nicaragua, and leases to the United States for ninety-nine years a naval base on the Gulf of Fonseca and the Great Corn and Little Corn Islands. A garrison of United States marines as "legation guard" has been maintained in the capital of Nicaragua ever since.

Again in 1916 the United States secured a treaty with Haiti which marks a long step toward actual annexation. In this case the United States was led to intervene by the persistently bad financial situation. The year before a revolution had occurred, and American marines were landed to preserve order. American forces have remained there. The treaty authorized the United States to take control of the customs administration, as it had done in Santo Domingo, and to organize a native constabulary, under American supervision. As a result the United States was placed in full control. It would appear that the new election held in 1915 was conducted under the watchful supervision of the American marines stationed there, and that the treaty was signed under threat of military pressure.

Again in this same eventful year of 1916 the United States purchased the Danish West Indies for $25,000,000, thereby acquiring one of the strongest naval positions in the new world. With the European War going on, the administration was taking no chances. When these various strategic points had been acquired, it was plain that the United States had become "the supreme lord of the Caribbean."

"From Guantanamo, the United States can control the Windward Passage between Cuba and the Dominican Republic. From Porto Rico the United States can control the Mona Passage. Haiti and Santo Domingo . . . each has an excellent harbor for a naval station, Mole St. Nicholas and Samana Bay; the former commanding the eastern side of the Windward Passage, and the latter commanding the Mona Passage from the west. The treaty with Nicaragua gives the United States possession of the Great Corn and Little Corn Islands off the east coast of this republic together with the right to build a naval base on the Gulf of Fonseca. St. Thomas has a splendid harbor for a naval station too. Colon and the fortifications of the Canal, the Canal itself, which has become the center of the naval power of the United States, completes the picture of the southward progress of the United States."

In the words of Secretary Hughes, "the adequate protection of this canal—its complete immunity from any adverse control—is essential to our peace and security. We intend in all circumstances to safeguard the Panama Canal. We could not afford to take any different position with respect to any other waterway that may be built between the Atlantic and Pacific Oceans. Disturbances in the Caribbean region are therefore of special interest to us not for the purpose of seeking control over others but of being assured that our own safety is free from menace."

Statesmen and publicists in Latin America and in Europe are convinced that these advances made in 1916 were not the end of American expansion. They prophesy that in time the United States will own everything between the Rio Grande and the Canal.

In explaining the position of the United States with reference to its rights in Latin America, Professor Shepherd quotes the reply of a British minister, who was asked what reason Great Britain had for holding Egypt: "that of being in a position to give the khedive authoritative advice." But the American people in general have not asked for explanations; in fact, it is doubtful if many of them know what has been going on, or why it has been done. The Carib-

bean policy never appears as an issue at the polls, and no one has ever voted for it or against it. The expenditure of $25,000,000 for the Danish West Indies caused hardly a ripple of comment.

Under the combined auspices of the State and Navy Departments "supposedly independent republics have had their independence diminished or destroyed, their affairs taken over and their inhabitants and property made subject to officials acting under the orders of the President of the United States—all without the slightest constitutional warrant—and yet who among us seems noticeably to care?" European historians have commented on the tendency of administrative departments to operate unobserved by the voters, and uncontrolled by legislative authority. The successful and uninterrupted prosecution of the American Caribbean policy is a case in point.

On the material side the results of this occupation have been undeniably good. Haiti and Santo Domingo are in better condition now than they have ever been in all their history, at least since 1492. The natives have been taught to keep the peace, and they have received the benefits of modern medicine and sanitation. The benefits of the Panama Canal are apparent to every observer. On the other hand, the Latin Americans object to being ruled under a system completely at variance with their former free and easy existence, and they point out the inconsistency in American theory and practice.

Perhaps the following quotation from an Argentine statesman is typical of the Latin American point of view. "The Monroe Doctrine is not a doctrine of America for the Americans, but of America for the North Americans. It has served as an admirable instrument for the United States to separate Europe from America and to establish its hegemony over the latter. The United States has been at all times preoccupied in obtaining concessions of every kind at the cost of the sovereignty of the rest of the American states. The doctrine is dangerous because it is North American Imperialism hidden under a principle of international law." It is plain to observant Latin Americans at least that it will take surprisingly little more in the way of an advance by this country to bring Central America solidly under the control of the government at Washington.

MEXICO

In the spring of 1920, Mexico, for some time quiescent, or sufficiently so to be kept on the inside pages or entirely out of the news-

papers, again became active. An anti-Carranza revolution broke out in Sonora, with General Obregon as leader. In May, Carranza fled from Mexico City only to fall into the hands of the revolutionists. They ended his career, in orthodox Mexican fashion. His overthrow was due to the feeling that he had "betrayed the Revolution," that he had set up the same sort of autocratic centralized power which had existed under Diaz.

Although Obregon was duly installed as President, the United States for some time would not recognize the new régime. This refusal was due to the economic policy of the Mexicans, with special reference to petroleum properties. In 1917 a new Constitution declared that the ownership of all petroleum fields was in the hands of the Mexican nation. Under this new document Carranza attempted to deprive the foreign oil companies of their property, including all the improvements made. This he was ready to do without paying for the land or the improvements.

The new Obregon government seemed inclined to follow Carranza's policy in this matter, and on that account American recognition was withheld until 1923, when satisfactory assurances were given concerning petroleum interests. It may be that the Latin Americans are not day-dreaming when they point to the steady consolidation of American interests in Central America, and they suggest that Mexico is being caught in a vice.

CHAPTER LXXI

PROBLEMS OF RECONSTRUCTION

After the defeat of the Treaty of Versailles, Congress and the country at large found it possible to devote more attention to the problems involved in post war reconstruction. These were as numerous as they were perplexing. Intervention in Europe had drawn the federal government into a variety of abnormal activities, and at the same time had suddenly and profoundly altered the economic conditions of the people themselves. Readjustment and change therefore became the order of the day.

THE CAMPAIGN OF 1920

It so happened that the first steps toward reconstruction were taken during the excitement of the presidential campaign of 1920. By that time signs of the long-accumulating impatience with the Wilson administration were apparent on every hand. Republican stock, decidedly below par from 1909 to 1918, had begun to rise in 1918, and by 1920 it had reached a high level. It was plain on all sides that only a remarkable candidate or a miracle could keep the Democrats in power.

The obvious weakness of the Democratic party was reflected in the convention at San Francisco. President Wilson, stricken in body and broken in spirit, made no attempt to exercise any of his prerogatives as party leader, and there was no one to take his place. William Jennings Bryan, the storm center of the Baltimore convention of 1912, had no appreciable influence in 1920. The various aspirants for the nomination hardly measured up to the qualifications of any of the presidents after 1893. The best known, if not the strongest on the list of possibilities, William G. McAdoo, suffered somewhat because he was Mr. Wilson's son-in-law. On the first ballot he secured only a small minority of votes, 266, while his closest competitor, A. Mitchell Palmer, got ten fewer. James M. Cox, of Ohio, who finally got the nomination, had only 134 in the beginning. Virtually unknown outside of his own state, the successful candidate aroused no enthusiasm.

The Republicans were peculiarly well-favored, not perhaps in available candidates, but in the certainty of success. Among the aspirants Herbert Hoover was the only one for whom there was any evidence of a popular demand, and it was neither widespread nor long lived. The conservative business interests of the party favored Frank O. Lowden of Illinois. Two energetic campaigners, General Leonard Wood and Senator Hiram Johnson, appealed for support to the surviving elements of Rooseveltian progressivism. Of all these Wood was unquestionably the best advertised—at a cost to his backers of some $2,000,000—and yet on the first ballot, at the Chicago convention, he could muster only 287½ votes. The professional politicians in the party had selected Senator Warren G. Harding of Ohio as their favorite. After nine fruitless ballots his supporters began their active work and on the tenth he received the nomination. For Vice-President the Republicans nominated Governor Calvin Coolidge of Massachusetts, the hero of the Boston police strike.

The campaign was the most apathetic of any since the Civil War. Far from stimulating the interest of the voters, both candidates aroused something akin to disgust. Comments such as "hold your nose and vote," or "thank God, only one of them can be elected," were not at all uncommon; and the editor of one paper solemnly announced that for President he would support Dr. Sun Yat Sen! President Wilson appealed for a "great and solemn referendum" on the League of Nations, but the League could not be made the main issue. The real force at work was a lively determination to get away from Wilsonism, and on the strength of that Harding won the election. Voters flocked to the Republican side, not because they liked the candidate, but because they wanted to punish the Democrats. Cox has the distinction of being the only Democratic candidate since 1877 who failed to carry the whole "solid South;" Harding carried Tennessee. The Republicans carried the "border states," except Kentucky, and the whole North and West. Harding's plurality was almost seven million, and the electoral vote stood 404 for Harding to 127 for Cox. The Congressional elections gave the victors the unprecedented majority of 165 in the House, and 24 in the Senate.

HARDING POLICIES

In one of his highly illuminating, pregnant phrases President Harding described the aim of his administration as "a return to

normalcy." As one means of effecting this return, the Republicans put an end to the Underwood Tariff. In the latter part of Wilson's administration they had put an "emergency" tariff through Congress, but the President had vetoed it. This bill was revived, passed, and signed in May, 1921. With protection restored, the party in power looked forward to a more nearly permanent protective bill. This they secured, in the Fordney-McCumber Tariff Act, which the President signed on September 21, 1922. The new law carried high rates on various agricultural products, designed to satisfy the farmers; as for example thirty-one cents a pound on wool, and thirty cents a bushel on wheat. It increased the duty on sugar, and imposed an embargo on the importation of dyestuffs. President Harding described the new law as "the greatest contribution toward progress in tariff-making in the nation's history." Opinion on this score, however, was not unanimous. *The Wall Street Journal* called it "one of the most selfish, short-sighted and extravagant laws of the kind ever enacted." The new rates averaged about twenty-five per cent higher than those in the much-criticised Payne-Aldrich Tariff.

While Congress and the President were proceeding toward "normalcy" by way of the tariff, Congress and the American Legion endeavored to march toward the same goal by way of a soldiers' "bonus." Regardless of the extremely liberal provisions which Congress already had made for the men injured or disabled in the war, the Legion officials insisted upon "adjusted compensation" for the able-bodied. Under their prodding, and in spite of Harding's known disapproval, Congress passed a bill in harmony with the Legion demands. The bonus might be paid in any one of a number of ways, depending upon the choice of the veterans themselves. The first plan called for cash payments, at the rate of a dollar a day for home service, and a dollar and a quarter for service abroad. The maximum amount payable to any veteran was not to exceed $500 for home service, or $625 for service overseas. The second choice provided for paid-up insurance. Under this the veteran entitled to $500 under Plan One would receive $1,690 in twenty years. A third choice offered vocational training for those not already getting it, while a fourth was designed to help the veteran to buy a home. Treasury experts have estimated the cost at about five billion dollars. On September 19, 1922, President Harding vetoed the bill, declaring that it would establish a dangerous precedent. The House over-

ruled the veto by a vote of 258 to 54, but in the Senate the measure was lost by four votes. Observant students of American history pointed out that a far shorter time had elapsed between the end of the Great War and the attempt to secure favors for veterans than between the end of the Civil War and the Arrears Act of 1879, the first pension raid on the Treasury.

With the American Legion officially advocating a bonus, the demand was continued, in spite of executive opposition. In May, 1924, Congress passed a new measure, granting twenty year paid-up insurance certificates. Under this scheme the maximum payment for those who served overseas would amount to $2,000, and for those who served at home, $1,500. Treasury experts estimated that this bonus would cost the government at least $100,000,000 per year, while both pro-bonus and anti-bonus enthusiasts united in prophesying additional grants for the future.

While the American Legion was urging its plan of adjusted compensations the pension advocates were busy in behalf of Civil War veterans, or rather of their recently acquired wives and widows. On January 3, 1923, Harding vetoed the Bursum Pension Bill, which provided pensions of $50 per month for all widows of veterans of the Civil War, and increased the pensions of the veterans themselves from $50 to $72 per month. In 1922, the federal government paid out in the form of pensions $255,201,662; the Bursum bill would have added $108,000,000 to that amount. The average yearly cost of the Civil War, during the four years of the conflict, was about $800,000,000. The total amount paid in pensions, on account of the Civil War, amounts to approximately six billion dollars. How long these payments will continue no one can tell. In 1922 forty-nine widows of veterans of the War of 1812 were still drawing pensions. It was in the light of these facts that Harding vetoed the Bursum bill. "Frankly," he wrote, "I do not recognize any public obligation to pension women who now, nearly sixty years after the Civil War, become the wives of veterans of that War."

THE ESCH-CUMMINS ACT

The reëstablishment of high protection furnished evidence that an appreciable element in the Republican party was still living in, or trying to get back to, the world before 1914, while the experiments with a bonus showed how the newer issues created by the war were

beginning to affect national policies. More of these new issues were insistently demanding attention, not the least important of which was the railroad problem. In 1917, as a war measure, the federal government had taken over the management of all lines throughout the country. While the war lasted railroad officials and stockholders somewhat ungraciously tolerated this experiment, as they did other innovations, but when the armistice was signed they demanded the return of the roads to their owners. On the other hand some socialists, many liberals, and a large number of employees hoped not only for permanent government operation, but for a gradual extension of the principle to other fields. This particular interest was brought to a focus in a program drawn for the railroad brotherhoods by their counsel, Glenn E. Plumb, and approved by the Federation of Labor. According to this Plumb Plan, the government would buy the railroads, and then lease them to a National Railway Operating Corporation, made up of all the officials and employees. Then the actual management of the roads would be vested in a board of fifteen directors, of whom five would be selected by the officials, five by the employees, and five by the President of the United States. Any deficit would be met by the government; profits would be shared equally by the government and the workers. The Operating Corporation would fix the rates, subject to the approval of the Interstate Commerce Commission, while the directing board would fix wages. For the settlement of disputes a mixed tribunal was provided for.

In spite of the energy with which the Plumb Plan was urged upon the country, the roads were returned to their owners on March 1, 1920. In February, Congress passed the Esch-Cummins Act, or Railroad Transportation Act, outlining the conditions of the return, and at the same time providing for certain new arrangements supposed to be helpful to railway labor. The Act called for the creation of a Railway Labor Board of nine members, to be appointed by the President, three members of which would be taken from the employees, three from the railroad owners, and three from the public. Then the Interstate Commerce Commission was authorized to fix rates in such a way that a return of six per cent on the estimated value of the roads would be guaranteed for two years. Provision was made for government help to the roads, through loans. The Interstate Commerce Commission was again increased, this time to nine members, and its powers were enlarged so that it might supervise the issue of

securities, and the fixing of rates. Down to 1924 at least there were numerous complaints against the measure, and the "progressive" interests—notably Robert M. LaFollette—persistently worked for its repeal. In particular the Labor Board has failed to satisfy anybody, employees, owners, or the public at large.

POST WAR LABOR

Because of the far-reaching importance of the industrial interests of the United States, it was inevitable that the laboring classes of the country should be profoundly affected by the course of post war readjustment. Beginning with 1916, when Congress, in the Adamson Law, gave the railroad brotherhoods increases in wages, to 1920, when deflation began, labor enjoyed unusual prosperity. In its haste to get training camps and ships, the government had pushed up wage levels to unprecedented heights. Skilled laborers came to look on ten dollars a day as a fair wage, while unskilled laborers could easily get six.

Business men and manufacturers were in a far better position to enrich themselves at the expense of the public than were the laborers, and during 1919 and 1920 charges of scandalous profiteering were only too well substantiated. While prices went up, quality went down. As one newspaper put it, "the whole public has been infected, and over the entire country there is sweeping a wave of greed, of extravagance, of idleness, of devil-may-care defiance of all the principles of economics and morals."

Naturally in the face of a continued advance in prices labor demanded higher wages, while the whole situation made for widespread unrest. From 1919 to 1923 the country was kept in a condition of high nervous tension by a rapid succession of strikes, threatened and actual, some of which pointed toward the gravest of dangers. In 1919 there were 3,374 strikes listed in the report of the Department of Labor; these affected four million workers. Laborers in all branches, even actors and policemen, went out on strike. Aside from the Boston police strike, which attracted widespread notice because of the principle involved, the most conspicuous although not the most important labor disturbance of that year was the great steel strike, involving over 350,000 men. The aim of the strikers was the complete unionization of the steel industry; in addition they called for the abolition of such customs as the seven day week and

the twenty-four hour shift, and for the introduction of the eight hour day. In addition the leader of the strikers, William Z. Foster, was endeavoring to use the disturbance to promote his own brand of socialism in industry, a fact which tended to conceal from some of the public the legitimate demands of the men.

In the same year the United Mine Workers went on strike, to secure a sixty per cent advance in wages, a demand which they found justifiable in view of the entirely unwarranted profits received by some of the mine operators. President Wilson urged the miners to remain at work pending arbitration, and upon the union's refusal to comply he proclaimed the strike as "not only unjustifiable, but unlawful." Attorney-general Palmer secured an injunction, forbidding the Union officials to take part in the strike, the war-time fuel administration was revised, and troops were sent to the mining regions in four states. On November 8 a second injunction ordered the Union officials to rescind the strike order. Under vigorous protest the Union complied.

In view of the general feeling of unrest, and of the impetus given to socialistic agitation by the Bolshevik revolution in Russia, it is not surprising that these labor disturbances were accompanied by efforts to transform the prevailing economic system and the social order on which it was founded. Communists and syndicalists found in the "I. W. W."—the Industrial Workers of the World—a labor organization which might be turned to account in bringing about the "social revolution." This society, organized in Chicago, in 1905, included various radical socialists, and certain labor groups not affiliated with the American Federation. The promoters professed to believe that a constant struggle between the employing class and the working class would go on "until the workers of the world, organized as a class, take possession of the earth and the machinery of production and abolish the wage system." They advocated "direct action," strikes, sabotage, violence, and bombs. There were several bomb outrages in 1919, which the general public attributed to the I. W. W.

THE DEPORTATIONS

To combat the wave of radicalism, the administration prepared to deport the more active agitators. In November 1919, over two hundred fifty radicals were arrested, in various parts of the country,

and in December the "*Buford*" carried two hundred forty-nine alien agitators to Finland, for transportation to the more congenial atmosphere of Russia. Nearly eight hundred more were held in federal prisons, and the Department of Justice called for the expulsion from the country of twenty-five hundred "dangerous" radicals.

Attorney-general Palmer made himself famous as an opponent of "Reds." Some of his critics held that he had not gone far enough in turning out alien trouble makers, while others went to the other extreme and accused him of being an even greater menace to American institutions than the passengers on the *Buford*. Thinly veiled hints were made to the effect that the Attorney-general found in the prevailing hysteria an opportunity to advance his own prospects as a candidate for the Democratic presidential nomination in 1920.

Neither Palmer's energetic campaign against the "Reds" nor the return of the Republicans in 1921 put a stop to the labor disturbances. In April, 1922, a new coal strike began, affecting nearly six hundred thousand miners and closing over seventy-five percent of the mines in the country. Both bituminous and anthracite fields were affected. In spite of the earnest appeal of President Harding to consider the interests of the public, the United Mine Workers refused to consider arbitration. After five months of work, however, on August 18, the federal government was able to end the bituminous strike, and the anthracite workers came to terms two weeks later.

While the coal strike was going on the railroad shopmen, some three hundred thousand in number, began a strike by way of protest against the new wage decisions of the Railway Labor Board. Every railroad in the country was affected, and on some lines equipment deteriorated seriously, with a resulting demoralization of service. As a part of the strike there were nineteen deaths due directly to violence, hundreds of cases of assault and about two hundred attempts to destroy railroad property. The managers of the roads refused to deal with the organized shop crafts, and the strike was finally settled through agreements reached by the individual roads with their respective employees.

AGRICULTURAL DEPRESSION

While organized labor was fighting to retain the advantageous position which it had been able to enter, the American farmers were struggling to keep clear of bankruptcy. During the war the farmers

had enjoyed their full share of prosperity, and the upward trend of prices for agricultural products continued into 1920. The demands for food during the war, constantly emphasized by the government, had stimulated production in all directions. In the West, particularly, as prices advanced the crop acreage had been enlarged year after year. Farmers borrowed money to buy more land, often mortgaging their original holdings in order to do it. With the producers actually getting over two dollars for wheat and thirty-two cents for cotton, it seemed wise to plant as much land as possible. High prices made it easy to meet interest charges.

In 1921 the process known as deflation began, and farmers' returns went back almost, if not quite, to the 1913 level. Between 1919 and 1921 there was a reduction of only eight per cent in crop acreage, but crop values fell off more than fifty per cent. Wheat dropped from $2.14 in 1920 to .90 in 1922, cotton from nearly .39 to .20, corn from $1.59 to under .62. The cost of manufactured goods did not fall to corresponding levels, while freight rates and taxes remained abnormally high. The farmers were ruined, some temporarily, some permanently. Out of 2,289,000 farmers in 1921 and 1922, 600,000 went bankrupt, and nearly half of these lost their land. In some sections in the wheat and cattle belts whole counties went bankrupt. By 1924 banks in the affected sections failed by the hundred, while general business was left prostrate. By 1922 the West was ready, in the picturesque language of an *Outlook* correspondent, "to kick the roof off."

Somewhat similar conditions had prevailed in the agricultural districts after the American Revolution, during the War of 1812, and in the "hard times" of 1893 and 1894. In all cases the farmers turned to the government for aid. Perhaps the most obvious political result of these hardships of deflation was the appearance of the "Farm Bloc" in Congress. This was simply a group of Representatives and Senators, both Republican and Democratic, who voted together on matters pertaining to the farmers. From 1921 to 1924 the Bloc included perhaps a hundred from the House, and twenty-five from the Senate. Although a minority, it held the balance of power. Its leaders were Kenyon, and later Capper in the Senate, and C. C. Dickinson of Iowa in the House. But the real manager of the Farm Bloc was Gray Silver, the Washington representative of the County Farm Bureau Association. This farmers' agency was

able to force its own program through Congress. Among other things it compelled Harding to appoint a "dirt farmer" on the Federal Reserve Board, and it refused to allow him to reappoint W. P. G. Harding as Governor of that Board. Then it killed the ship subsidy bill. Finally in the spring of 1923, it forced through the Agricultural Credits Act, designed to provide ample facilities for loans to farmers.

This discontent with Harding was revealed in the Congressional elections of 1922. These cut the Republican majority in the House down from 165 to 5, and in the Senate from 24 to 8. Actually the Republican losses were greater, because several of those chosen on the Republican ticket were radicals, and independents, like LaFollette, Brookhart, and Magnus Johnson, men who refuse to be bound by the orders of the majority. In general this election was interpreted as "a vote of little confidence" in the Harding administration.

THE SHIPPING BOARD

If further illustrations were needed to show how the United States suffered in its attempt to achieve President Harding's ideal of "normalcy," they might be found in the work of the United States Shipping Board. In 1914 the merchant marine tonnage of the United States was 1,758,000, consisting almost entirely of vessels engaged in the coastwise trade. In 1916, Congress created the United States Shipping Board, for the purpose of developing a genuine ocean merchant marine. In 1917, when the United States entered the war, the government prepared to meet the extraordinary demand for ships. Three great yards were equipped to turn out ships rapidly, in large numbers. In 1918 and 1919 the American builders turned out ships aggregating 7,000,000 tons. When the Armistice was signed, the three yards had delivered 496 ships, while 1,524 more were under construction. In addition contracts had been let for nearly 1,200 more. The combined cost of ships and yards was approximately $3,500,000,000. In 1923, the value of this same property was estimated at $400,000,000. In November, 1918, ships were worth $250 per ton; by 1923 they could neither be sold nor given away. In 1924, literally millions of tons of Shipping Board vessels were tied up at anchor in various harbors, left to deteriorate.

Of course, as the greatest ship-owning nation on earth, the United States attempted to keep some of the vessels in service. In 1919 the Shipping Board worked out a great shipping program, with lines to

all parts of the world, to be managed by operating companies. Freight rates were $80 per ton, and profits were almost fabulously high. Then, with deflation, and hard times in Europe, cargo freight rates dropped to $8 per ton, and deficits took the place of profits. The operating directors selected by the Shipping Board abandoned their vessels wherever they could get rid of them most easily, and the Board paid out millions of dollars to get them back, only to let them rust away at anchor.

The Merchant Marine Act of June, 1920, provided for the sale of the ships to American citizens, but purchasers were hard to find. Even if there had been any prospects of profits, American owners would have found it difficult to overcome the disadvantages of the LaFollette Seamen's Act of 1915, which laid down such regulations concerning wages, food, and living quarters that competition with foreign lines became virtually impossible.

In 1921 President Harding appointed A. D. Lasker chairman of the Shipping Board. Under his direction the Board kept some of its ships in service, although it was necessary to run them at a loss. Lasker advocated a ship subsidy, so that private owners could afford to buy and run the vessels, but in 1923 Congress defeated the measure which the administration asked for. In 1924 the Shipping Board was losing money at the rate of $25,000 per voyage per vessel, amounting altogether to about $30,000,000 annually. The great ocean-going fleet, which, so it was hoped, would free the country from embarrassing dependence upon foreign lines, was proving to be a tremendous financial burden.

Because the much-desired "normalcy" had been upset by foreign complications, and because officially the United States was still at war with Germany, President Harding was compelled to deal with international problems. With reference to Latin America there were promises that American forces would be withdrawn from Haiti and Santo Domingo, but there is no evidence that any material change has taken place on that island. American troops are still there. In the case of problems arising from the Great War, Harding and Hughes, the new Secretary of State, insisted that the United States had acquired certain rights by virtue of her participation in the Allied victory, and that these assets could not be taken away without express consent, formally given. When, under a League of Nations mandate, Japan claimed full control of the hitherto almost unknown

island of Yap, Secretary Hughes insisted that the rights of his government in the cables there could not be impaired by the League.

PEACE WITH GERMANY

On July 2, 1921, Congress passed a joint resolution declaring the war at an end, and reserving to the United States "all rights, privileges, indemnities, reparations, or advantages," to which it was entitled by reason of its participation in the war, or which it acquired by the Armistice, or which it would have secured under the Treaty of Versailles. Following this declaration, in August, 1921, the United States and Germany agreed upon a separate treaty of peace, under which the United States reserved all the rights referred to in the Congressional resolution, and on January 1, 1922, the two nations resumed diplomatic relations.

THE WASHINGTON CONFERENCE

The most spectacular achievement of the Harding administration, if not the greatest, was the Washington Conference on Pacific problems, and the limitation of armaments. For a number of years the Pacific situation had been developing into a field of serious international rivalry, and in 1921 the situation was peculiarly bad. In 1916 the United States had embarked upon the biggest naval building program in its history, and Japan was trying to keep pace with it. This competition was not confined solely to ships. Both countries were rushing ahead with plans for naval bases and fortifications. On each side there was a good deal of talk about the need of protection against the designs of the other, all of which tended to increase the prevailing friction.

More specifically, Japan was making determined efforts to put an end to the "open door" policy in China. Under the Treaty of Versailles she had secured Shantung, and although she had promised to turn the province over to China, no one expected her to do it. The twenty-one demands were designed to make China the vassal state of Japan. Americans were interested in the Japanese grip on China. They were gravely concerned over the Anglo-Japanese Alliance, made originally to check Russian aggression in Manchuria. In 1905, and again in 1911, it had been renewed, against Germany. After the German menace had been removed, it seemed too much like an alliance against the United States. There were only three large

navies left in the world, and two of them were united by this Alliance. It was this combination of naval competition and Japanese policies which gave rise to the demand for a conference.

In the summer of 1921 the United States sent out invitations to Great Britain, France, Italy, and Japan, and after more or less hesitation they all accepted. On November 12 the Conference was formally opened, in Washington. In his introductory speech, Secretary Hughes laid concrete proposals for limiting the size of the three leading navies. These called for the abandonment of all programs for the construction of capital ships, for the scrapping of a specified number of old battleships, and of some then under construction, and for a definite limit on the number of auxiliary craft, cruisers, destroyers, submarines, and airplane carriers. The plan was to leave the three leading navies in the same relative position which they then occupied, the ratio of 5–5–3.

The French representatives were offended because their naval interests were considered of second rate importance, and France refused to approve that part of the plan dealing with subsidiary craft and submarines. The rest of the limitation program was adopted, and in addition the three leading powers agreed not to increase their fortifications and naval bases in the Pacific; from this agreement Hawaii, Australia, and New Zealand were specifically excluded.

In the words of Professor George H. Blakeslee, this agreement brought to the Pacific the "spirit of moral disarmament," and with it a prospect of continued peace. Subsequent developments, however, seemed to indicate that the competition in cruisers, submarines, and airplanes had become almost as serious as that in the larger fighting units had been before.

With reference to China, the powers agreed to recognize virtually the "open door" principle, under which all nations may share in Chinese commerce. In December, 1922, to the surprise of the cynics, Japan withdrew from Shantung, and the Chinese resumed possession, for the first time since 1898. All of the twenty-one demands were either abrogated or so changed as to leave China free from Japanese dominion. Furthermore the Japanese withdrew from eastern Siberia.

More important perhaps, for the United States, the Anglo-Japanese Alliance was abrogated, and in its place there appeared a four-power treaty, with the United States, Great Britain, France, and Japan as the contracting parties. This was to remain in effect for ten years,

with the proviso that it might be terminated by any member on twelve months' notice. When the Senate ratified the various treaties the Harding administration naturally felt that it was entitled to high praise for its work.

EUROPEAN DEBTS

Among other foreign problems the Harding administration was compelled to deal with the question of European indebtedness to the United States. In 1922 this amounted to more than $9,386,300,000. Of this Great Britain owed over $4,000,000,000, and France $2,293,000,000. Some of the European debtors were inclined to feel that the United States was under obligations to write off the whole amount by way of compensation for the late entrance into the war, and some Americans professed to agree with them. Furthermore the French government let it be known that the United States need expect nothing from that quarter until Germany should settle the reparations account. The British government on the other hand was ready to assume its obligations and in January, 1923, an agreement was reached providing for payment of principal, and interest at 4½ per cent, in installments for 62 years. Up to 1925 the other debtor governments had made no definite agreement with this country regarding settlement.

IMMIGRATION

By calling attention to illiteracy and the lack of sympathy with American ideals prevalent among certain groups of recently-arrived immigrants, the Great War raised the issue of restricted immigration. The United States was in itself a remarkable product of unrestricted immigration, so that any attempt to keep out other aliens would inevitably arouse widespread opposition. Like all questions that belong to the two fields of domestic and foreign problems, immigration had its puzzling aspects. Recently arrived groups here would resent the exclusion of their fellows, while foreign governments might interpret the limitation as a slur.

During the seventeenth and eighteenth centuries the arrivals in that part of North America which eventually became the United States had come generally from the British Isles and from Germany. In the great wave of immigration for the two decades previous to the Civil War the newcomers came largely from the same areas, with a larger proportion of Irish than before. Even down to 1880 western

and northern Europe continued to furnish the majority of immigrants from the continent of Europe. But during the latter part of the nineteenth century, and the first part of the twentieth, southern and eastern European races came in literally by the hundred thousand, 800,000 for example in 1914 alone.

These newcomers were welcomed by the manufacturing interests, because they furnished an abundant supply of cheap labor. But it was becoming more and more apparent that any real assimilation of these aliens was impossible, particularly when they were being reinforced every year by additional throngs. The parallel between this influx from Europe and the German immigration into the old Roman Empire was disconcertingly close. Imperfect as the social and economic structure in the United States might be, it was certainly far more satisfactory to the majority of Americans than were the Utopias which many recent arrivals desired to set up almost over night.

One of the results of the outbreak of the Great War was the checking of immigration into the United States, but it was plain that, unless something could be done, the years after the war would see an extraordinary increase in the number of arrivals from Europe. In May, 1921, a measure was enacted limiting immigrants from any given country to three per cent of its people already here in 1910. Originally in force for thirteen months, this act was subsequently extended to July 1, 1924. Before this law expired, President Coolidge signed the Johnson-Lodge Immigration Bill, which reduced the immigrants receivable from any one country to two per cent of the numbers shown to be here by the census of 1890. The figures for 1890 were taken as the standard in order to keep down the racial groups from eastern and southern Europe.

In addition to restricting the size of the quotas from parts of Europe the Johnson-Lodge Act excludes aliens who are not eligible to citizenship. No particular nationalities thus barred out are named specifically in the bill, but it was aimed at the Chinese and Japanese. There was nothing new in the principle of prohibiting the admission of these two groups of Orientals, because both had been kept out for years. But in the case of the proud and sensitive Japanese the matter had been taken care of quietly, by the so-called Root-Takahira, or "gentlemen's" agreement, made in 1908. The Japanese interpreted this part of the new law as a direct affront to them. Japanese newspapers went to extremes of bitterness in condemning the action of the

American government, and the Japanese ambassador presented a forceful, somewhat tactlessly worded protest to the State Department.

CRITICISM OF CONGRESS

Among the domestic features of the Harding administration one in particular stands out, because it emphasizes the change which has taken place in the practical working principles of the federal government, that is, the widespread tendency to criticize Congress. Of course the national legislature has never been free from criticism, and it never will be. In general people expect too much of Congress. The voters select a series of local celebreties to represent them in Washington and they seem to expect that a group of ordinary men, under the benign influence of the Capitol, will evolve a collective intelligence superior to anything else in the country. Furthermore, the voters send representatives to Washington to look after too many local interests. "In most instances the Congressman is little more than an errand boy for his district. His time is largely occupied in performing personal services—in answering letters, receiving calls of constituents, piloting the people from home around Washington, obtaining favors for them at the departments, getting them offices and pensions, pursuing appropriations for rivers, harbors, public buildings, and other undertakings of a local kind."

That is what the voters expect, and that is what they get. If Congress does more for them, they are lucky. During Harding's administration Congressmen showed a lively interest in a hundred million dollar bill for new post offices and customs houses, for a large river and harbor appropriation, and for the veterans' bonus. This sort of distribution of federal money brings votes, and it occupies the attention of the Congressmen, sometimes to the exclusion of larger interests. And yet, in spite of the familiarity of the country with this kind of business, and in spite of the demand for it, the people expected more, and blamed the President because he could not get it for them.

It was plain that Congress would not follow executive leadership, and as this became more evident, the country demanded that Harding compel it to follow him. When he did not, he was criticized. It is at this point that the recent curious developments in American history appear. Down to 1900 the party organization generally assumed responsibility for leading Congress. This group of managers

decided the policies for the various administrations, and saw to it that Congress enacted them into laws, a responsibility they assumed more or less openly.

But this government by machine politicians, "invisible government," fell into ill repute. For a whole generation reformers were at work, trying to break up the system. "Progressives" of one shade or another were all at war with "the bosses." So vigorously was this reform prosecuted that the bosses were driven to cover. When the party type of leadership broke down, a new type had to be evolved. For a time the President took charge, and gave cohesion and direction to party policy. Roosevelt did that, and in doing it he dominated both Congress and the party machine. Wilson carried the principle of executive domination still further. Not since Jefferson's time had an American executive driven Congress as he drove it.

But Wilson went to such extremes in enforcing his orders that there was a determined reaction against it, in Congress and out. Harding was nominated, in part at least, by his Senatorial associates, in the hope that he would work with them. Then, in addition to this reaction, one other cause may be found for the growing indifference of Congress toward executive leadership. In the old days the Congressmen remained loyal, because of the desire to share in the spoils of office, in the distribution of the patronage. A possible hand in the disposal of the spoils was a powerful, cohesive factor. But with the extension of Civil Service Reform the number of plums has appreciably diminished, and Congressmen are freed from that particular urge. Now the rewards of loyalty are few. At the same time the spirit of reform has created the impression that the Congressman who is independent, who will not allow himself to be directed by others, is the most able and the most valuable. There is now a premium on kicking over the traces. This feeling naturally interferes with effective team work.

While Congress itself was becoming a more difficult body to lead, President Harding was determined not to drive it. As a Senator he had smarted under Wilson's chronic disregard of the sensibilities of that body, and he insisted upon remaining in his place, and in letting Congress alone. Theoretically the people approved of his attitude; actually they blamed him when Congress wasted time.

Another cause of dissatisfaction with Harding was to be found in the West, where the conditions responsible for the Populist

movement were being reproduced. During the war the farmers had enjoyed unparalleled prosperity. But with the deflation which came in 1920 and 1921 the days of two dollar wheat and thirty-five cent cotton were a thing of the past. Since 1920 the farmers of the Middle West have been producing food for practically nothing; in many cases they have been doing it at an actual, demonstrable cash loss for three years. Thousands of men throughout the Northwest who had mortgages on their land have been obliged to leave it.

DEATH OF HARDING

By the summer of 1923 the burdens of the presidency had begun to tell heavily on President Harding, and symptoms of ill health were only too evident when he started on a trip through the West, with Alaska as the objective. While in Alaska he was taken ill, and his condition failed to improve on his return trip. He died on August 2, in San Francisco, and the silent, enigmatic Calvin Coolidge became President.

COOLIDGE *vs.* CONGRESS

The first session of the sixty-eighth Congress, which assembled in December, 1923, distinguished itself by the amount of surprisingly strong disapproval which it incurred, and by its devotion to a large number of investigations. President Coolidge seemed to have little if any influence with either Senate or House. Perhaps the keys to Congressional policies during that session can be found in the political complexion of the two chambers, and in the exigencies of a presidential campaign year.

Officially the House numbered two hundred twenty-five Republicans, two hundred six Democrats, one Farmer-Laborite, and one Socialist; the Senate had fifty-one Republicans, forty-three Democrats, and two Farmer-Laborites. But in the House was a so-called LaFollette *bloc* of twenty-one members, led by Representative Nelson of Wisconsin, and in the Senate nine of the same variety, led by LaFollette himself. These insurgents held the balance of power, and by joining with the Democrats they could annihilate all traces of Republican supremacy. It was this LaFollette group which forced the choice of Senator Smith of South Carolina, a Democrat, as Chairman of the Interstate Commerce Committee.

On December 6, President Coolidge submitted a program calling

for the enactment of thirty-three measures. Congress ignored all these recommendations, and proceeded to pass the Bonus and Pension bills, which Coolidge was known to oppose. In dealing with the problem of tax reduction, Congress repudiated the Republican measure, embodied in the "Mellon Plan," and passed one more nearly in accord with the views of the LaFollette-Democratic coalition.

THE INVESTIGATIONS

The 68th Congress will be better known for its investigations than for its legislative work. Everything was investigated which showed any promise of discrediting the Republicans. One committee uncovered a trail of disgraceful corruption and graft in the Veterans' Bureau; another, looking into the conduct of Attorney-general Daugherty, revealed his all too intimate connections with a series of disreputable figures in the political underworld of Ohio and Washington, D. C.; still another laid bare a story of waste and graft in the work of the Shipping Board; perhaps the most spectacular was the so-called "Teapot Dome," or oil lease investigation, conducted under the direction of Senator Walsh of Idaho.

The story begins with the opposition of various interests to the policy of conservation of natural resources. Business interests and some members of the Federal legislature had objected to this policy from the beginning. Among the most outspoken opponents of conservation was Senator Albert B. Fall, of New Mexico. Harding made him Secretary of the Interior, and interested parties proceeded to turn him to good account.

In 1912, the federal government set apart two oil fields in California as a reserve to supply future needs of the navy. In 1915, the better advertised Teapot Dome reserve was set apart in Wyoming. In 1920, Congress authorized the Secretary of the Navy to conserve or develop the reserves by lease or contract. In May, 1921, President Harding transferred the administration of these reserves from the Navy Department to the Department of the Interior. In April, 1922, Secretary Fall leased the Teapot Dome field to an oil company headed by Harry F. Sinclair, and in 1921 and 1922 the California reserves were leased to Edward L. Doheny. The leases provided for working the fields, on a royalty basis. Concerning the merits or disadvantages of the leases there was widespread difference of opinion. But the leases were made secretly, and according to reliable evidence,

Secretary Fall received $35,000 from Sinclair and $100,000 from Doheny, under circumstances that looked very much like bribery.

During the pre-convention period the work of the committees investigating the Veterans' Bureau, Attorney-general Daugherty, and the oil leases, was given wide publicity in the press. Had President Harding lived, the disclosures would undoubtedly have marked him for political ruin. The Democrats tried to capitalize these issues, on the ground that the Republican Party itself was responsible for them, but they could not convince the country at large that Coolidge had been tainted in any way.

CAMPAIGN OF 1924

While the opposition was branding the Republicans as a party unworthy of the confidence of the voters, William M. Butler was unostentatiously but effectively securing convention delegates pledged to the nomination of Calvin Coolidge. This "second Mark Hanna," a successful Massachusetts business man, had received his political instruction at the hands of Winthrop Murray Crane. No manager was ever more completely successful. When the Republicans assembled at Cleveland, Coolidge got the nomination on the first ballot, with an overwhelming majority. There was far less certainty over the vice-presidential candidate, and the controversy over this office provided the Cleveland convention with its only trace of real excitement. The choice finally fell upon Charles G. Dawes, a picturesque, colorful figure, with ability above the average of the ordinary candidate for that place. Butler became chairman of the Republican National Committee.

The Democrats met in New York City, for the first time since 1868. Far from being a foregone conclusion, their choice could not be foretold by any one. It so happened that there were two leading candidates, each of whom had an enthusiastic, not to say fanatical, following, with a variety of less conspicuous aspirants. The two leaders were William G. McAdoo of California, formerly Secretary of the Treasury under President Wilson, and Governor Alfred Smith of New York. McAdoo had the support of a substantial minority of the delegates, especially among those from the South and West, but he had been attorney for Doheny, of oil lease fame. When this connection was made public, he hurriedly dropped his client, not, however, in time to avoid a certain amount of contamination. Smith

was a product of New York's East Side, who had risen to fame by way of Tammany Hall. But he was no ordinary Tammany man. On the contrary he had a reputation for absolute integrity, and his record as governor was not only flawless but enviably brilliant. Tremendously popular in Democratic circles throughout the Northeast, he labored under the handicap—in Southern and Western eyes—of being a Roman Catholic.

The Democratic convention consisted largely of an endurance test between these two contenders. Finally they both withdrew, and on the 102d ballot the nomination went to John W. Davis, of West Virginia and New York. Davis had succeeded Walter Hines Page as Ambassador to England during the latter part of the Wilson administration. By ability, training, and experience he was amply qualified for the post. For the second place on the ticket the weary delegates picked Charles W. Bryan of Nebraska, brother of the more famous "W. J."

At the Republican convention the Wisconsin, or LaFollette, delegation presented a set of principles, with the demand that they be incorporated in the Republican platform. The document failed to make a profound impression on the majority of delegates, whereupon the LaFollette forces proceeded to hold another convention, also at Cleveland. Progressives, liberals, reformers, and the generally-dissatisfied of various shades of opinion united in nominating Robert M. LaFollette and Burton K. Wheeler.

The platforms of the two regular parties were long, diffuse, generally vague, and uninspiring throughout. Probably some voters read them all the way through. Among other things the Republicans spoke tactfully of the late President Harding, and enthusiastically of President Coolidge. They called attention to Republican achievements in reducing both expenditures and taxation, and they promised further economies and reductions. With reference to foreign affairs, they endorsed the project of joining the World Court, and of keeping out of the League of Nations, praised the Latin American policy, and called for the settlement of foreign debts owed to the United States. The party held out promises of help to the farmers, pledged itself to protect the manufacturers, and approved the policy of an American Merchant Marine. Regarding the alleged corruption, uncovered during the preceding spring, the Republicans promised honesty in administration, and "the speedy, fearless, and impartial prosecu-

tion of all wrongdoers, without regard for political affiliation or position."

The Democrats paid "profound homage to the memory of Woodrow Wilson," affirmed their faith in his ideals, and summarized once more the achievements of his administration. They charged the Republicans with "dishonesty, discrimination, extravagance, and inefficiency" in government. They indorsed the League of Nations, in general terms, and called for a nation-wide referendum on the issue of American participation in it. The Republican Fordney-McCumber Tariff Act they denounced as "the most unjust, unscientific and dishonest tax measure ever enacted in our history." As for the Harding administration, in the words of this platform, "never before in our history has the government been so tainted by corruption and never has an administration so utterly failed. The nation has been appalled by the revelations of political depravity which have characterized the conduct of public affairs."

Both platforms ranged over the world in search of "issues" from the conditions in Europe, Alaska, and the Philippines, to the Ku Klux Klan. Whatever else the two documents accomplished, they did little to elucidate the real issues.

The Progressive, or LaFollette Party had a platform, and LaFollette himself had his own personal platform, in which his aims were described. It at least had the merit of brevity. "The great issue," LaFollette declared, "is the control of government and industry by private monopoly." The Progressive candidate contracted to restore the control of the government to the people. He promised "a complete housecleaning in the Department of Justice," and the recovery of the oil reserves, and called for the repeal of the Esch-Cummins railroad law. As "the only final solution of the transportation problem" he urged public ownership of the railroads, "with definite safeguards against bureaucratic control." Perhaps the most widely discussed plank in his platform was that calling for a constitutional amendment, to enable Congress to override a "judicial veto."

Ordinarily the American people may expect to have a lively good time during a presidential campaign, but this contest in 1924 was a disappointment. One leading journal dealing with public affairs reported that the one great outstanding feature of the campaign was its downright dullness. Not even the suggested possibility that the final decision might be thrown into the House of Representatives was

enough to arouse any real enthusiasm. For a time LaFollette seemed to stir the public in the Middle West, and the philosophical radicals all over the country worked themselves up into something like a political fever over him, but the great mass of voters failed to respond. Calvin Coolidge refused to go on the stump, and he made very few speeches of any sort. Davis conducted a dignified campaign, although he sometimes displayed irritation at his inability to force his Republican opponent into a debate.

In the final vote LaFollette carried nothing but his own state of Wisconsin, with its thirteen electoral votes. Davis carried the "solid South," and only one state, Oklahoma, in addition, with a total of 136 electoral votes. Coolidge swept the North and West by tremendous majorities, getting 382 electoral votes. The popular vote ran close to 29,000,000, of which Coolidge got about 15,500,000, Davis 8,500,000, and LaFollette 4,500,000. The Republicans likewise secured a clear majority over the combined Democratic and radical opposition, in both houses of Congress.

In view of LaFollette's reiterated charges that the Republicans were raising a "slush fund" to defeat him, it is interesting to compare the figures as given with those of other campaigns. The Republicans raised about $4,000,000, the Democrats $750,000, and the LaFollette Progressives about $200,000. Allowing for the decrease in the value of money since 1896, the Republican figure would be approximately equal to, or smaller than, that reported by Mark Hanna in the first McKinley campaign, and it was considerably less than the amount spent in 1920.

Observers had been prepared by the *Literary Digest* poll to expect a Coolidge victory, but few had foreseen anything so decisive and complete. The Republicans made a remarkable recovery from the losses of the Congressional elections of 1922. The reasons for their success are not entirely clear. In part it was due to Democratic weakness; Davis, a compromise candidate, failed to win the combined support of the McAdoo and Smith factions. Then LaFollette involuntarily contributed to it. His avowed purpose of transferring enough votes from Coolidge to deadlock the electoral college seems to have inspired the conservatives to unite, and make that outcome impossible. Without doubt Butler's talents as manager, organizer, and director of publicity had an important effect on the outcome. Newspaper correspondents referred to the rise in the price of farm

products, especially wheat. Crop failures elsewhere meant a larger demand for American wheat, and with the return of prosperity to the West political discontent disappeared. When times are good, the West is always Republican. Finally there is the personality of the President himself. There is no doubt that he had captured the imagination of the country. People liked his lack of affectation, the absence of pose, his indifference to mere show. They believed that he was honest himself, and that he would not tolerate dishonesty in others. If there was a "Coolidge myth," as some of his critics asserted, it was widespread—and most profitable. Everyone knew that Coolidge would do nothing spectacular, and they liked him all the more for that. Voters who considered Wilson quixotic found Coolidge "safe." Neither LaFollette nor Davis could convince the country that "a vote for Coolidge is a vote for chaos." To the millions who voted for him his election meant a comfortable rest from disturbing schemes of reform.

The optimism of the business world after the election was revealed in a remarkable volume of trading in the stock exchanges. Signs were visible in many places indicating a wave of unusual prosperity, which would bring success to any administration. The country is still faced with the serious problems which have caused unrest for years, but the state of mind is more favorable at least for a cheerful consideration of them than at any time since 1913.

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The following lists, one for each chapter, are designed to suggest additional reading in connection with subjects referred to in the text. The works referred to present American History from the point of view of modern scholarship. With few exceptions, they should be easily accessible. Where more extensive reading is desired, students may be referred to Channing, Hart, and Turner, *Guide to the Study of American History*, and to the excellent bibliographies in the volumes of the *American Nation* series.

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